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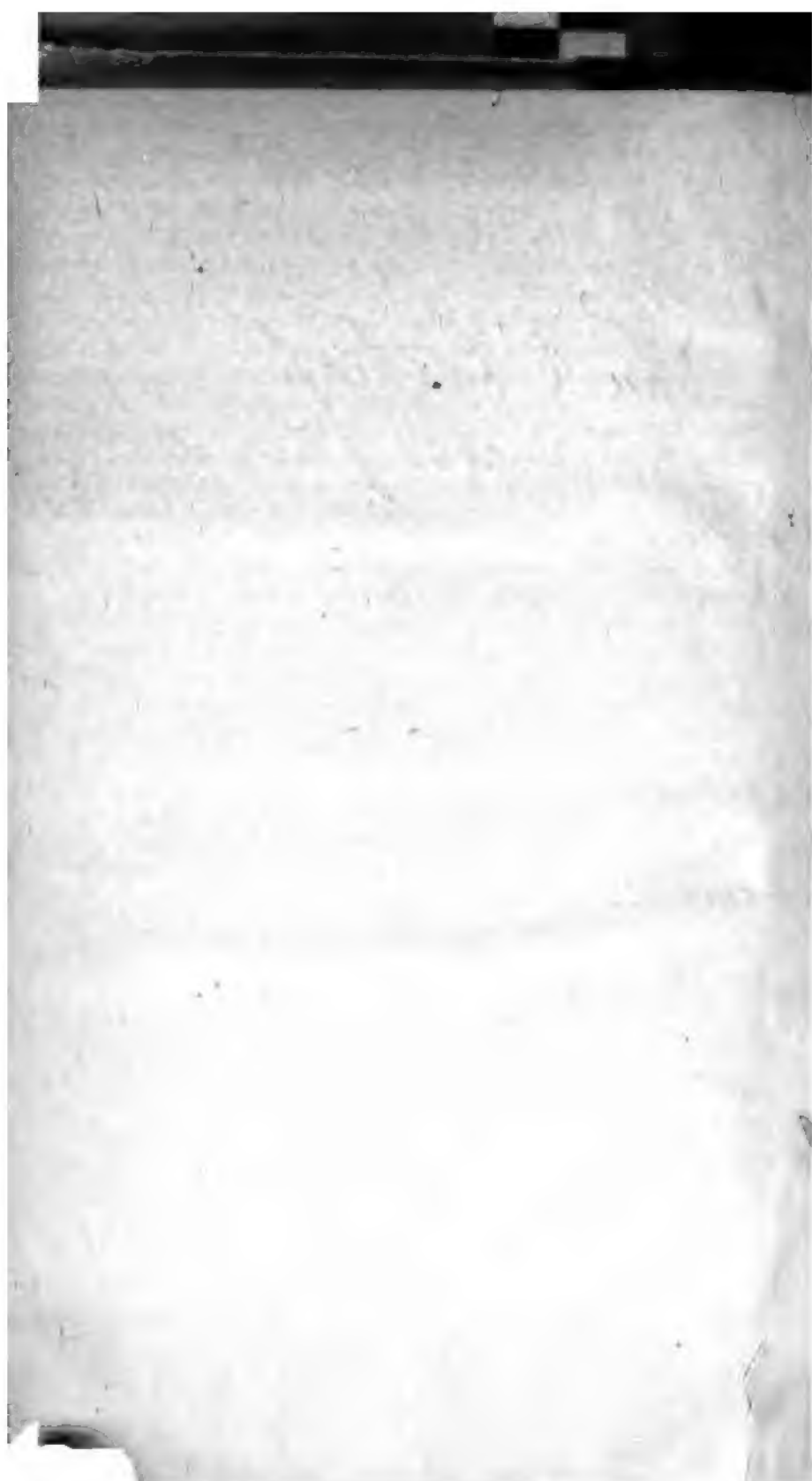
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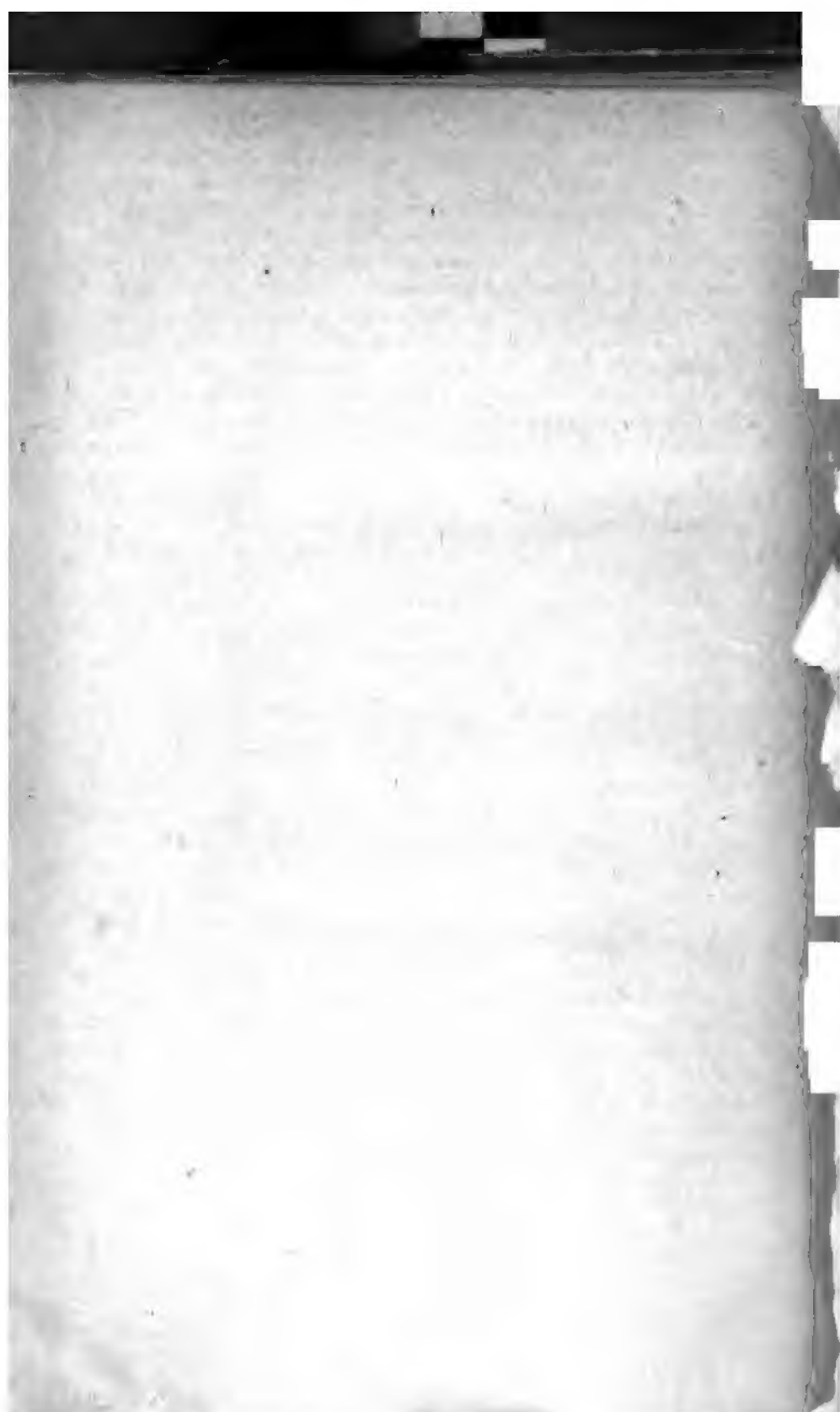
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THE  
REVOLUTIONARY DIPLOMATIC CORRESPONDENCE  
OF THE  
UNITED STATES.

EDITED UNDER DIRECTION OF CONGRESS

By FRANCIS WHARTON,

WITH

PRELIMINARY INDEX, AND NOTES HISTORICAL AND LEGAL.

UNITED STATES GOVERNMENT PRINTING OFFICE

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## CORRESPONDENCE.

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**Livingston to the President of Congress.\***

PHILADELPHIA, *November 25, 1781.*

**SIR:** I enclose to Congress the heads of the communication which I had the honor to make to them on the 23d, as far as I could obtain permission from the minister of France to reduce them to writing. There is but one omission, the reason of which was assigned at the time I made the verbal communication. I also enclose an extract of a letter from the Count de Vergennes to the minister of France, as translated and communicated to me by him, which I have thought it necessary to submit to the perusal of the superintendent of finance.

I am at a loss to judge whether Congress intended in their reference of General du Portail's letter that I should report to them or write to Dr. Franklin on the subject myself; supposing the latter to have been the case, I have accordingly written; but lest I may have been mistaken, I submit my letter to their inspection, and if it is not conformable to their intentions I beg to be honored with their further direction.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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**Adams to Vauguyon.†**

AMSTERDAM, *November 25, 1781.*

**SIR:** I have the honor to enclose to your excellency a copy of the fresh instructions of Congress of the 16th of August last, which I received by the post on the 23d instant. I have also received a further commission from Congress, with full powers to confer, treat, agree, and conclude, with the person or persons vested with equal powers by his most Christian majesty and their high mightinesses the States-General of the United Provinces of the Netherlands, of and concerning a treaty

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 150.

† 3 Sparks' Dip. Rev. Corr., 502.

of alliance between his most Christian majesty, the United Provinces of the Netherlands, and the United States of America.

This measure was apparently concerted between the Congress and the French minister residing near them, and seems to be very happily adapted to the present times and circumstances.

I beg leave to assure your excellency that I shall be at all times ready to attend you at The Hague or elsewhere, to confer with you in the most entire confidence respecting this negociation, and shall take no material step in it without your approbation and advice.

There are three ways of proposing this business to their high mightinesses: First, your excellency may alone propose it in the name of his most Christian majesty; secondly, it may be proposed jointly by the minister of his majesty and the minister of the United States; or, thirdly, it may be proposed by the minister of the United States alone, and as a consequence of his former proposal of a treaty of commerce. I beg leave to submit these three measures to your excellency's consideration, and shall very cheerfully comply with any which you may most approve.

I have the honor to be, &c.,

JOHN ADAMS.

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Livingston to Franklin.\*

PHILADELPHIA, *November 26, 1781.*

DEAR SIR: The Marquis de la Fayette, who has obtained leave to revisit his family for the winter, does me the honor to be the bearer of this and duplicates of two former letters to you. The degree of estimation in which he is held here you will collect from the enclosed resolutions relative to him, so that you may converse freely with him, and I doubt not that he will be able to satisfy your inquiries on many important questions relative to this country, on which account I may confine myself more to general heads than I would otherwise do.

As to intelligence, there is little of importanee, the army all having gone into winter quarters after the late glorious campaign, the enemy having been defeated on every hand. A party of about six hundred of them, who fell upon the western frontier of New York, were the last that quitted the stage, having been driven off by an inferior number of militia, with the loss of their leaders, and many privates killed, and about fifty, including the wounded, made prisoners. A body of troops is detached to the southward to reinforce General Greene, with orders to attempt Wilmington on their way, which the enemy occupy with about five hundred men, and keep up a connexion with the disaffected counties in North Carolina.

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 181, with verbal changes; 7 Bigelow's Franklin, 318.



We have not in a long time heard either from you or Mr. Jay, so that we are much in the dark respecting the probable prospect of a negotiation this winter, or rather are led to conclude from your silence that the prospect is extremely remote; in which case all your objects will centre in preparing for the ensuing campaign, and directing the operations as far as possible to this country. The success of the combined operations this summer will give great weight to your arguments, especially as they are such as would deserve, independent of that, the most serious attention. But, sir, you will have a difficult card to play to induce France to do what not only our but her interests essentially require. Never was there a time in which money was more necessary to us than at present. The total abolition of paper, the length of the war, the restricted commerce we have carried on for the first five years of it, the arrears of debts, and the slender thread by which public credit hangs, put it totally out of our power to make any great exertions without the immediate supply of money. Taxation will be carried as far as it will go, but this will fall very far short of our wants. The richest nations in Europe, unable to carry on a war by taxation only, are compelled to borrow. How, then, will it be expected that a nation which has had every difficulty to struggle with, an enemy in the heart of its country, and all its considerable towns at one time or another in their possession, a superior navy on its coast, and the consequential ruin of its agriculture and commerce—how, I say, can it be expected that such a nation should find resources within itself for so long and bloody a war? And yet in this situation we are alarmed by our advices from you, by representations from the minister of France, by assurances from every quarter that we must expect no further assistance in money. Surely it is not possible that France, after having done so much for us, after having brought us within view of the desired haven, should oblige us to lose the advantage of all she has done; and yet be assured that the most serious consequence may attend her stopping her hand at this critical time. Public credit, which is growing very fast, will drop to the ground; the contracts made for the ensuing campaign must be given up; the troops, who were led to expect pay in specie, will be dissatisfied; and upon the least ill fortune a failure in supplies will show their discontents; recruiting will be checked, and the conclusion of the war on those advantageous terms, which one vigorous exertion next spring in this country would secure, will be postponed to a later period, when in fact all we wish, to enable us to accomplish these great objects is less than one year's continuance of the war will cost France. You will therefore show the necessity of setting our credit upon a firm basis, the prospect we have of accomplishing it from the great confidence in the integrity and abilities of the financier, from the economy which is introduced into our departments, from the industry which money excites and which a fluctuating medium had destroyed, and from the total debility which must attend another shock to public credit.

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You are perfectly acquainted, sir, with the natural resources of the country, you know the value of our exports, and the security they afford for any debt that we may contract; in short, there are a thousand arguments on this subject which will suggest themselves to you, not one of which will you upon this occasion omit to urge, since you must be perfectly convinced of its importance in every view, both to France and to us. The superintendent will write more fully upon this subject, which relates so particularly to his department.

I would beg leave to remind you of another want, which we depend on your representations and the good dispositions of the court of Versailles to remove. The chase seems to be pretty well over, the enemy, tired of running across the country, have taken to their burrows, and the whole business that remains to us is to take measures for unearthing them next spring. In order to this, ships are absolutely necessary. The situation of New York and Charleston renders them untenable against a naval force and extremely strong against an attack by land; besides that, success in such an operation would not be decisive, since after putting us to immense expense of men and ammunition of every kind, while they keep the command of the water, they might change their position and be as troublesome as ever. At any rate the reduction of both these places, from their distance and the difficulty of removing the men and stores, can not be effected the same campaign without a naval force, and with it, it will be the business of a few weeks. The advantage to France, independent of her interests as they stand connected with ours, in keeping a great naval force on this continent is obvious.

1. The expense to which they put the English by obliging them to maintain an equal force at this distance from home at four times the cost at which the French navy may be maintained in this country, which with proper management need not exceed what they expend even in France.

2. The number of seamen they employ in the transport service being so many deducted from what might supply their navy, with the same expense as if so employed.

3. The protection afforded to the trade on this coast and the prospect of capturing the enemy's victuallers, and the consequent ruin of their affairs.

4. But above all, the decided advantage it will afford our combined operations and the speedy termination of the war by an advantageous peace. It is true, France may have other objects, which interfere with these. To this we can say nothing; she must judge for herself. All we can do is to point out what we conceive will be most useful to her as well as to us, and submit to her determination. It would be well, however, if we were apprized of it as soon as possible.

If a negociation should open this winter, or there should be a probable prospect of it, you will do me the favor to give me the earliest ad-

vices of it. There are many delicate points on which you would wish to know the sentiments of people on this side of the water which I will endeavor to acquaint you with.

I should inform you that Congress have discharged the commission for negotiating a treaty of commerce with Great Britain, and taken that burthen from Mr. Adams's shoulders; that in compliment to the Marquis de la Fayette, they have made him the bearer of a letter to the King of France, which I enclose; that in answer to your favor of the 11th of June they have passed the enclosed resolution.

Mr. Morris will write to you on this subject, and enable you to discharge the bills. Should France send a fleet next spring, it would be advantageous to have it unincumbered with such orders as may prevent its taking advantage of circumstances. This has unhappily prevented this campaign from being absolutely decisive. But neither this nor any other great object can escape your observation, bent as it is upon promoting the happiness of your country.

In order to enable you to meet the claim of the tories to the property that has been confiscated, I am endeavoring to collect for you an accurate account of the damages wantonly done by the enemy in this country, which will at least serve to set against that claim.

Congress are preparing for an active campaign. They have directed eight millions of dollars to be raised by tax. There is not, however, the least idea that this or even one-half of it will be collected in the time specified. You will not, therefore, suffer the court to deceive themselves by hopes of exertions founded on this measure, but urge again and again the absolute necessity of supplying money.

I have conversed so freely with the Marquis de la Fayette on the general state of our politics, that I would rather refer you to him than trouble you with a longer letter on the subject.

I can not, however, close this without desiring you to inquire whether any intercepted letters from Mr. Deane to persons in this country have been published in Europe. Rivington has given us many, which are generally believed to be his.

The marquis will satisfy your inquiries about them.

I am, dear sir, with sentiments of the highest respect and esteem,  
&c.,

ROBERT R. LIVINGSTON.

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J. Adams to Franklin.\*

AMSTERDAM, *November 26, 1781.*

SIR: I presume you have a copy from Congress of their instructions to me of the 16th of August, but as it is possible it may be otherwise, I have enclosed one. I have communicated them to the Duc de la

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\* 3 Sparks' Dip. Rev. Corr., 504; 7 J. Adams' Works, 485.

Vauguyon. I shall do nothing in the business without communicating it beforehand to him with the most entire confidence and receiving his approbation and advice. He informs me that he has not yet received any instructions from his court respecting it.

These instructions have arrived at a very proper time to counteract another insidious trick of the British ministry, in agreeing to the mediation of Russia for a separate peace with Holland.

With unfeigned joy I congratulate your excellency on the glorious news of the surrender of Cornwallis to the arms of the allies. How easy a thing would it be to bring this war to a happy conclusion if Spain and Holland would adopt the system of France and co-operate in it with the same honor and sincerity. There is nothing wanting but a constant naval superiority in the West Indies and on the coast of the United States to obtain triumphs upon triumphs over the English in all quarters of the globe. The allies now carry on the war in America with an infinite advantage over the English, whose infatuation, nevertheless, will continue to make them exhaust themselves there, to the neglect of all their possessions in other parts of the world.

I have the honor to be, &c.,

JOHN ADAMS.

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Franklin to Adams.\*

PASSY, *November 26, 1781.*

SIR: I am honoured with yours of the 19th inst. I received a letter from Capt. Jackson dated at Bilbao the 12th, in which he mentions nothing of his departing thence for America, so that I should have continued to expect him here if he had not written positively to you of that intention. Mr. Barclay, the consul, too, I thought would have been here before this time, and I know not what detains him at L'Orient; thus the affair of the goods still remains upon our hands. You demand of me what is to be done with them. The owners of the ships talk of a higher freight, or selling the ships, of damages, and of detaining the goods till the damages are paid. If I were even informed what freight, what price for the ships, and what damages they demand I really could give no advice on those points, being totally ignorant of such business. But I am furnished with none of the data on which to found an opinion, and can only say with you, that I think they have no right to stop the goods; and I think also that the keeping us out of possession of 50,000 £ sterling's worth of goods for securing the payment of a petty demand for damages appears to me not only ungentle and dishonorable treatment, but a monstrous injustice. It seems to me that it is principally with Mr. Neufville we have to do; and though I believe him to be as much a Jew as any in Jerusalem, I did not expect that with so many

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\* MSS. Dep. of State; 7 Bigelow's Franklin, 314.



and such constant professions of friendship for the United States with which he loads all his letters he would have attempted to enforce his demands (which I doubt not will be extravagant enough) by a proceeding so abominable. As it happens my informations from America assure me that our army was tolerably well clothed, and would in a short time be completely so, advice being received of great quantities arrived at several ports; also much of the cargo lost in the *Marquis de la Fayette* has already been replaced and sent off from France, and will probably arrive, if it does arrive, before any that can now be sent from Holland, and the rest is following; so that if we could get rid of the goods there at a moderate loss we might at the same time get rid of the difficulty, our necessity for having them speedily forwarded not being so great as Mr. Neufville imagines. However, I would propose this to him: Let the goods first be delivered to you, then let him make his demand for damages, which, if you think reasonable, I will pay; if not, let them be settled by arbitration. After this, you will judge what measures may be necessary for transporting them. But I would not be compelled to pay whatever he may please to demand because he has our goods in possession. We have, you observe, our hands in the lion's mouth, but if Mr. N. is the lion I am a bear, and I think I can hug and gripe him till he lets go our hands. He has bought goods for us, and, till he delivers them, he has no equitable right to be paid for them; should he refuse to deliver them, though I have accepted bills in his favor to the value — —, \* [yet if you approve it I will not pay one of them, and let him keep his goods and seek his remedy where he can find it.

† I sent forward last Saturday some packets and letters for you, which I hope got to hand in time. Most heartily do I congratulate you on the glorious news.‡ The infant Hercules in his cradle has now strangled his second serpent, and gives hopes that his future history will be answerable. I enclose a packet which I have just received from General Washington, and which I suppose contains the articles of capitulation. It is a rare circumstance, and scarcely to be met with in history, that in one war two armies should be taken prisoners completely, not a man in either escaping. It is another singular circumstance that an expedition so complex, formed of armies of different nations and of land and sea forces, should with such perfect concord be assembled from different places by land and water form their junction punctually, without the least retard by cross accidents of wind and weather or interruption from the enemy, and that the army which was their object should in the mean time have the goodness to quit a situation from whence it might have escaped, and place itself in another whence escape was impossible.

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\* Letter ends here at *value* in letter book.

† In Bigelow's edition, the letter begins at this point, and ends with the next paragraph.

‡ The news of the surrender of Cornwallis at Yorktown on October 17, 1781.

General Greene has done wonders, too, in Carolina. I hear that a reinforcement was to be sent to him from the army of Virginia, and that there are hopes of his redeeming Charleston. You have probably in the enclosed packet the account of his last great action. Count de Grasse sailed on the 30th with the fleet and part of the land forces. His destination is not mentioned.

The seal of your last letter has the same appearance as the others. It may be well to change the mode of conveyance, use another seal sometimes, and direct in a different handwriting.

In speakings of de Neuville's bills and of my refusing to pay them I have said, "*if you approve it*," because you can best judge whether my taking such a step would have any bad effect on your political operations. If the goods are delivered to you and you find it necessary to sell a part of them, I wish you would make the offer of that part to him. He bought them and knows what they are really worth; but I imagine you will find that he will not take them off your hands at a discount even of 10 per cent., and I am curious to know what he would offer. His proposition, when I first saw him, of terms on which he would borrow money for us stamped his character on my mind with an impression so deep that it is not yet effaced. If you do not know those terms, I will send you a transcript of them.

Messrs. Fizeaux and Grand have sent me the enclosed account, and desired my approbation of it. Methinks it should be examined by you, with whom it was transacted, and I therefore send it.

I have the honor to be, with great respect, your excellency's.

P. S.—I inclose a letter to Messrs. Neuville, which I request you to deliver or suppress, as you may think fit.

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J. Adams to Jay.\*

AMSTERDAM, *November 26, 1781.*

SIR: By the last post I received from L'Orient a set of fresh instructions from Congress, dated the 16th of August, and with the more pleasure, as I am enjoined to open a correspondence with your excellency upon the subject of them.

I presume you have a copy by the same vessel; but as it is possible it may have been omitted, I shall venture to enclose a copy, and hope it may pass unopened. I have communicated it to the French ambassador here, who says it is "*très bien vû; très bien combiné.*" I shall take no step in it without his knowledge and approbation. I shall hope for your excellency's communication as soon as convenient.

The Dutch have an inclination to ally themselves to France and America, but they have many whimsical fears and are much embar-

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\* 3 Sparks' Dip. Rev. Corr., 503; 2 Corr. and Pub. Papers of John Jay, 148; 7 J. Adams' Works, 484.

rassed with party quarrels. In time I hope they will agree better with one another and see their true interests more clearly. This measure of Congress is very well-timed.

I congratulate you on the glorious news of the surrender of Cornwallis. Some are of opinion it will produce a congress at Vienna; but I can not be of that sentiment. The English must have many more humiliations before they will agree to meet us upon equal terms, or upon any terms that we can approve.

What is the true principle of the policy of Spain in delaying so long to declare themselves explicitly? Her delay has a bad effect here.

Mr. Dana has been gone northward these four months, but I have no letters from him. Whether the post is unfaithful, or whether he chooses to be talked about as little as possible at present, which I rather suspect, I do not know.

My respects to Mr. Carmichael and to your family, if you please.

With great esteem, &c.,

JOHN ADAMS.

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Morris to Luzerne.\*

OFFICE OF FINANCE, *November 26, 1781.*

SIR: The letter which you did me the honor to write on the 24th instant was delivered yesterday morning, and I take this early opportunity to acknowledge it. As you have assured me that you can not know any account which is not conformable to the instructions his majesty's minister has addressed to you, I shall spare your excellency the trouble of my remarks. But, as you say that your letter of the 26th of September last could not have left me the shadow of a hope on the subject of further drafts, your excellency will pardon one observation. Those precise orders from your court, received by Colonel Laurens, which compel you now to prohibit my further drafts, permitted you then, in consequence of the observations I had the honor of making to you, an extent of nearly three hundred thousand livres. It is my duty to trespass one moment longer on your excellency's patience while I take the liberty to observe that I can by no means consider purchases made for any particular State in the Union as properly chargeable to the United States.

With the most perfect esteem and respect, I have the honor to be, &c.,

ROBERT MORRIS.

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\* 6 Sparks' Dip. Rev. Corr., 377.

to my hands no accounts by which to determine the balances. What is said as to the settlement of accounts in this letter will be honored with your notice presently. You will now observe that I therein request information as to the revenue laws which have been passed, the mode of collecting taxes, the moneys in their treasuries, the various appropriations of it, and the different paper currencies in the several States. To your excellency it is unnecessary to observe that my object was to obtain proper materials on which to ground my future expectations and to form efficacious systems of revenue and expenditure. I have the mortification, however, to mention that no accurate or satisfactory answers have been received to these questions; and when I tell you that I am not much deceived in my expectations, you will readily form the proper conclusions as to the relaxed habit of administration in this country. I wish you to be fully possessed of our situation, and that you may convey a clear idea of it to the court of Versailles. This will be useful to the common cause. I trust that I need not remind you how advantageous it would be for us to know as fully the real situation of France.

The low state of public credit, for the want of solid funds to support it, had induced the United States in Congress to call for an impost of five per cent. on all goods imported, and on all prizes and prize goods, to be granted for the payment of the principal and interest of the debts contracted or which might be contracted during the present war. Some of the States had complied with this demand. The two more southern States were in such disorder that a compliance from them reasonably be expected, neither was it relied on. I remarked on reading the resolutions to you, as you will find them two subject, which must be. The other two will be returned on Thursday, therefore, I

Island, New York, your humble servant,

THOMAS PAINE.

P. S.—Contrary to my expectations, the attack on Augustine by the Spaniards is spoke of by the S. C. gentlemen as an agreeable circumstance to them.

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Morris to Franklin.†

OFFICE OF FINANCE, November 27, 1781.

SIR: The Marquis de la Fayette, who is about to sail for France, will have the honor to deliver this letter, and, consistently with the acts of Congress of the 23d instant, I must request you to communicate it to him, and from time to time to take his aid in the prosecution of the

\* N. Y. Hist. Soc., 1878, 471.

† 6 Sparks' Franklin, 377.



My letter of the 20th of September to the assembly of Pennsylvania was written so particularly in consequence of the authorities they had confided by their resolutions. I wrote to you respecting these resolutions and my plans founded on them the 21st of July, and I just mention here, by the way, that this plan has not been in any degree executed, for reasons not necessary to be at present enlarged upon. My letter to the assembly of Pennsylvania, with the enclosure referred to in it as accounts, of which I send you copies, will need no explanation, unless it be to mention that this State had issued one hundred thousand pounds, secured, with interest, on certain lands near the city, which is now nearly paid by the sales of these lands, and five hundred thousand pounds more not bearing interest, which was funded upon the land office, the dues to which were estimated at a much larger sum. I have sent this letter, as also my private letter of the 16th of October, to Governor Nelson, merely that you may be well apprized of the incessant attention which is paid here to call forth our own resources. I might have added many other letters to particular States on particular occasions, but I dare say you will find this letter sufficiently voluminous.

Before I quit this subject of the past requisition of Congress I must add that, notwithstanding my pressing instances, very little hard money has been obtained from the States—not more than one hundred thousand dollars during my whole administration. There has indeed been drawn forth some considerable specific supplies of provision, and ~~pieces of~~ <sup>is</sup> on hand a great deal of paper money. From the former our ~~be proper~~ <sup>been</sup> principally maintained, and indeed there is a small ad-  
~~been such that as to the~~ <sup>been such that as to the</sup> ~~Rockabeau~~, which I mean to be in part to state my accounts in the clear ~~satisfactory~~ <sup>and</sup> I here repeat to you always to be wished even in private life, but ~~which is~~ <sup>any</sup> convenience the last importance. I do not mention this to cast aspersions, for the evil resulted more from the want of articles necessary for the faults of any particular men. But it is right to take notice of the circumstance, because, in the course of what I am about to write, the want of such accounts cannot but appear. I shall say nothing as to the ill effects of demanding generally a contribution of specified articles; my opinions on that subject will appear from the enclosed papers, and experience has taught that such contributions are no longer to be relied on. At the same time I declare now that in some degree it must still take place, for reasons which will be mentioned at the proper time.

As the letter last mentioned contains no statement of the accounts, I wrote on the 16th of July another, containing the cash account of each State, as extracted from the treasury books; a statement, however, which I knew to be imperfect, for causes not necessary to be repeated. On the 25th of July I wrote another circular letter, and in which was enclosed a statement of the several demands for specific supplies. These were considerable, and I am of opinion that a very great part of them still remains to be delivered at this day, but there have yet come

to my hands no accounts by which to determine the balances. What is said as to the settlement of accounts in this letter will be honored with your notice presently. You will now observe that I therein request information as to the revenue laws which have been passed, the mode of collecting taxes, the moneys in their treasuries, the various appropriations of it, and the different paper currencies in the several States. To your excellency it is unnecessary to observe that my object was to obtain proper materials on which to ground my future expectations and to form efficacious systems of revenue and expenditure. I have the mortification, however, to mention that no accurate or satisfactory answers have been received to these questions; and when I tell you that I am not much deceived in my expectations, you will readily form the proper conclusions as to the relaxed habit of administration in this country. I wish you to be fully possessed of our situation, and that you may convey a clear idea of it to the court of Versailles. This will be useful to the common cause. I trust that I need not remind you how advantageous it would be for us to know as fully the real situation of France.

The low state of public credit, for the want of solid funds to support it, had induced the United States in Congress to call for an impost of five per cent. on all goods imported, and on all prizes and prize goods, to be granted for the payment of the principal and interest of the debts contracted or which might be contracted during the present war. Some of the States had complied with this demand. The two more southern States were in such disorder that a compliance from them could not reasonably be expected, neither was it relied on, as you doubtless have remarked on reading the resolutions of the 3d of February upon that subject, which must have reached you before this day. On the 27th of July, therefore, I have written a letter to the States of Massachusetts, Rhode Island, New York, Delaware, Maryland, and North Carolina. I have the pleasure to inform you that the States of New York, Delaware, and North Carolina have since complied with the demand of Congress, and I am convinced that they will, in the laudable step, be speedily followed by the other States. In the mean time we must patiently wait the event. Such things require time, and since we can not command obedience, we must stay for the assent of conviction.

On the 6th of August I wrote a letter to the President of Congress, enclosing those already mentioned. On this letter it is necessary to say nothing more than that it met with the approbation of the several members, who have, I believe, written such letters to their respective States as I desired.

My letter of the 15th of September to the governor of Massachusetts was, as your excellency will perceive, although the settlement of past accounts is mentioned in it, written in answer to his of the 23d of August, in which he tells me that he will lay the business of the impost law candidly before the legislature, but thinks it will go heavily through. I shall add nothing here to what is said in that letter.

My letter of the 20th of September to the assembly of Pennsylvania was written so particularly in consequence of the authorities they had confided by their resolutions. I wrote to you respecting these resolutions and my plans founded on them the 21st of July, and I just mention here, by the way, that this plan has not been in any degree executed, for reasons not necessary to be at present enlarged upon. My letter to the assembly of Pennsylvania, with the enclosure referred to in it as accounts, of which I send you copies, will need no explanation, unless it be to mention that this State had issued one hundred thousand pounds, secured, with interest, on certain lands near the city, which is now nearly paid by the sales of these lands, and five hundred thousand pounds more not bearing interest, which was funded upon the land office, the dues to which were estimated at a much larger sum. I have sent this letter, as also my private letter of the 16th of October, to Governor Nelson, merely that you may be well apprized of the incessant attention which is paid here to call forth our own resources. I might have added many other letters to particular States on particular occasions, but I dare say you will find this letter sufficiently voluminous.

Before I quit this subject of the past requisition of Congress I must add that, notwithstanding my pressing instances, very little hard money has been obtained from the States—not more than one hundred thousand dollars during my whole administration. There has indeed been drawn forth some considerable specific supplies of provision, and there is on hand a great deal of paper money. From the former our army has been principally maintained, and indeed there is a small advance made to the Count de Rochambeau, which I mean to be in part of your promise mentioned in a former letter, and I here repeat to you my determination to comply with it as speedily as any convenience will possibly admit.

As to the paper money, it is of no use, although it is necessary, for evident reasons, to receive it in taxes. But the confidence of the people is so entirely lost, that for the present no bills of credit whatever can be made use of as money. I hope that the taxes laid and collecting in most of the States will bring in all this useless load by the middle of next summer; and I have some expectation that the States of Massachusetts, Connecticut, Pennsylvania, and Delaware will be entirely rid of it by the spring. If I could buy anything with it I would not until the last necessity; but it will buy nothing, so that it must be burnt as soon as it honestly can.

The picture I have already given of this country will not be pleasing to you. Truth bids me add, that it will admit of a higher coloring. But what else could be expected from us? A revolution, a war, the dissolution of government, the creating of it anew, cruelty, rapine, and devastation in the midst of our very bowels. These, sir, are circumstances by no means favorable to finance. The wonder, then, is that we have done so much, that we have borne so much, and the can-

did world will add, that we have dared so much. I could take up much of your time in recapitulating many less matters, which have tended to weaken the exertions we have otherwise been capable of. The confused state of public accounts, and the deplorable situation of credit for want of funds to secure or means to redeem the debt for which the public faith is pledged, are, however, of such important operation, that I must not pass them over in silence.

In the enclosures your excellency will have perceived that I have noticed the effects which follow from the want of a final settlement of accounts. Representations on the subject of these accounts, and also of certificates given by public officers in the commissary's and quartermaster's departments for articles taken from the people, had been made by some of the States to Congress. The impost asked for by Congress was, I have already observed, for the funding of our debts. On the 13th of October I wrote a letter to the several loan officers, in which I expressly prohibit the issuing of any more loan-office certificates. The reason for this order will appear more clearly from the latter part of my letter to the several governors of the 16th of October.

I do hope and expect that some methods will speedily be adopted by the United States in Congress assembled for settlement of the public accounts, as also to liquidate the several certificates given by the public officers and to provide revenues for funding the public debts. The last of these objects must not, however, be urged with too much rapidity. The impost law is not yet passed, and is the first step. When that shall have been taken, it will give room for urging what further may be necessary. In the mean time there is a well-grounded expectation that the clamors of our creditors will induce the several legislatures to comply with the requisitions of Congress upon that subject.

From what has been said your excellency will perceive that the prospect of future supplies from the several States is by no means very brilliant. I send you the act of Congress of the 29th of October, calling for eight millions of dollars; the act of the 2d instant, apportioning that demand among the several States; and the act of the 12th instant, repealing (in consequence of my letter of the 5th) a part of the act of the 2d. My circular letter of the 17th, enclosing those acts to the governors, will close what I have to say on the subject. But I must observe to you on my letter of the 5th to the President of Congress, that although it is strictly true that I had not seen the estimates as mentioned in that letter, yet it is equally true that, until the business was nearly completed, I was supposed to have seen them; and when the contrary was suggested, they would have been sent from Congress but that so few States were represented as that only the number absolutely necessary to pass such requisitions were then present, and some of the representatives of those few were about to depart, wherefore it was waived. I have further to remark on the estimates themselves that they are only for the feeding and paying the army.

The expense of recruiting that army, of moving it from place to place, the heavy articles of clothing and ordnance, with expense of the hospitals, and the long train which is comprehended under the title of contingencies, is totally unprovided for. Defective as it is, I have no hope that it will be complied with. The great arrearage of unfunded debt, the cumbrous load of useless paper, the multiplied mass of certificates, the distracted situation of the more southern States, the ravages which have been made in them, the total loss of their commerce, and real want of coin in many States, and the equal want of system in all. These, sir, are circumstances which forbid the most sanguine temper to expect a full compliance. It shall be my business, as it is my duty, to get as much as I can, and for this purpose I shall make compositions; where it is necessary, take articles of provisions in lieu of money and the like. Still, however, I am convinced that I shall not get what is asked for, and indeed I do not expect any part of it before the middle of next campaign.

I have said that I will make some remarks on the supplies already furnished by France. It is necessary to do this, as well because I am so unfortunate as to differ a little in opinion on the subject with the minister of his most Christian majesty here, as because the demands we are to make on the court for the next year will depend on the compliances which have been and shall be made with the grants for the present year.

It was a point understood in Congress very early that his most Christian majesty would pay the interest of certain moneys to be borrowed by Congress in America. Your excellency knows better than any other man what passed on that subject. It would, therefore, be absurd in me to recapitulate it. Those circumstances which rendered an express stipulation improper then have introduced much delicacy into it now; and therefore I do not expect that the court will recur to a formal acknowledgment of what was then perhaps rather a personal than national obligation. But I do expect that the payment of that interest will be provided for as heretofore, without considering the moneys appropriated to that purpose as a relief to us in carrying on the war. You will have seen, sir, from the course of my letters how much it is an object with me to collect from ourselves the revenues necessary to lighten our debts. There is a variety of reasons for it which I will not repeat. Among them, however, this is one, that I wish to remove the load from France to ourselves. It will in the end be the same thing, because in proportion as our resources here are appropriated we must ask help there. But it would be better that the people were taught to look at home for the basis of national credit, because there alone it can be found. I should not have mentioned this matter, but that you will find it noted in the correspondence between the Chevalier de la Luzerne and myself, of which copies are enclosed.

Shortly after the arrival of M. Gerard it was understood that France



would supply us with the clothing and warlike stores which might be necessary, and therefore it was that Colonel Laurens, when in France, labored to prevent a deduction from the subsidy of six millions on account of the articles furnished to him. As I am persuaded that his efforts were in consequence of your advice and in concert with you I shall say nothing more upon that subject, only to lament that the court have differed from you in opinion, and to acquiesce in their determination, on the principle that those who give have a right to dispose of that which is given.

By a note from the Count de Vergennes, of which I enclose a copy, I perceive that the court granted the United States as a gift six millions, advanced to you four millions to pay the bills which might be drawn on you, and became security for a loan of ten millions, the amount of which was to be advanced from the royal treasury in case the loan should fail of success. The expression as to this last object is strong, namely, *that his majesty will see himself under the necessity of supplying the deficiency*, although in the former part of the note it is said that he will supply it from his own finances *as soon as possible*; an expression which, while at the first blush it makes an earnestness of affection, may be, and in fact has been, construed into a kind of cautionary provision. Your excellency will also, I doubt not, observe what is there said of the appropriation of the gift; the last two millions whereof, as is already observed, we did not expect to find there.

Enclosed also is an account delivered by the minister of France in the month of September to a committee of Congress, which had been appointed to confer with him. There are striking differences between this account and the note last mentioned. But by this account it appears that it was the design of the court to make the advances of the present year distinct from all past transactions. From whence this conclusion at least will follow, that such of the bills drawn by Congress, either on yourself or on their agents in Spain or Holland, as you may have discharged before the commencement of the present year are not to be deducted from the sums mentioned in the Count de Vergennes' note. Now that I am on this subject I will observe to you, sir, that I have determined to prevent that circuitous negociation of bills which has so much perplexed and distressed you, and have for that reason stopped many of those already drawn, as will presently appear. Another observation to be made on this account is that no notice is taken of the four millions expressly mentioned in the Count de Vergennes' note as granted to you for payment of bills drawn by Congress.

A third observation is, that the articles marked B and the article number two C, which together amount to the sum of six million six hundred and eighty-six thousand one hundred and nine livres, are all charged as being expended to the order of Colonel Laurens. But by the Count de Vergennes' letter to you of the 8th of June last it appears that Colonel Laurens was to have had the command of no other

than the six million livres given by the king. Indeed the count's note of the 16th of May shows the same thing. The letter of the 8th of June just mentioned shows clearly the opinion of the court on another point of very great importance, namely, that the whole ten million livres to be advanced for the loan are, as in effect they ought to be, subject to the disposition of the United States only. A fourth observation is that the article A three, B two, and C one, amounting to four million three hundred thousand livres, were or were to have been in your possession for payment of bills. If to this be added four million livres granted for that express purpose, of which no mention is made in the account, it would follow that you would have eight million three hundred thousand livres at your disposal; and this leads me to consider the amount of the demands which could be made on you.

These cannot be precisely ascertained, but the paper number seventeen contains the best estimate in my power. The first six articles of this estimate contain all the bills which have been drawn upon you, excepting some interest bills, which, although made out, had not been delivered to the people before the 1st of April last. These amount to ten million six hundred and seventy-one thousand four hundred and fifty-six livres thirteen sols four deniers. The article number seven is the whole amount of guilders drawn for, the far greater part of which I have detained, as you will perceive by the article number eight. The balance it is not possible to ascertain exactly in livres, because it must depend upon the course of exchange; but at two livres for a guilder the whole of the bills actually negotiated on Holland will amount to one million ninety-four thousand seven hundred and twenty-nine livres. The article number nine is the amount of bills drawn on Spain, of which a considerable part has been paid by Mr. Jay, and a part, somewhat more considerable, is destroyed. These parts are contained in the articles ten and eleven. The balance (calculated at the value of a dollar in France, which will, I suppose, be as much as it can cost) amounts to one million seventy-seven thousand two hundred and eighteen livres. So that the whole of those bills which by any means whatever could have come upon you for payment will be twelve million eight hundred and forty-three thousand four hundred and three livres thirteen sols four deniers, and from this sum very considerable deductions are to be made. The article number twelve, which is the first of them, contains the exact amount of the several bills for interest which were negotiated previously to the first of April last.

It may be objected that these bills will many of them be payable during the present year, which indeed is true, and for that reason I have added to the bottom of the account the extent of one year's interest on loan-office certificates, and which is more than will, I believe, be presented. The next article, number thirteen, is for bills which had been drawn on you and have been stopped by me. The article number fourteen is, you will perceive, for bills which in all human probability will

have been paid during the last year. The certainty of this transaction is doubtless with you, and what we are now upon is an estimate, not an account. The remaining articles speak clearly for themselves, wherefore I conceive myself well founded in making the amount of deductions in this estimate nine million one hundred and sixty-three thousand two hundred and sixty-five livres, so that, after including one year's interest, as is already mentioned, the total is five million eight hundred and seventy-three thousand one hundred and twenty-eight livres thirteen sols and four deniers; and from this there must be some deductions, because undoubtedly you have paid some of the bills drawn on Spain and Holland before the first day of January last. I have mentioned no sum for this purpose, but in order to be within bounds I will suppose it to be only three hundred and seventy-three thousand one hundred and twenty-eight livres thirteen sols and four deniers, and then the extent of the bills payable by you in the year 1781 will be five millions and a half livres, and therefore the four millions granted by the court and the million and a half said to be stopped by you in Holland will apply to this demand.

As the last-mentioned sum appears by the Count de Vergennes' note to have been part of that which was given by the court, this state of the matter will leave clear the ten million livres to have been loaned, and seems properly to consist with the count's note of the 16th of May and his letter to you of the 8th of June following. I have mentioned above that, in making the deduction for bills paid previous to the year 1781, I meant to be within bounds. It is proper to give a reason why I supposed that deduction to be so. I have already made one remark on the article A one, two, and F in the account officially communicated by the minister of France in September last. From these articles it appears at least that three million livres were advanced for the payment of bills last year. The amount of the interest bills I have already stated as being in the extent two millions one hundred and ninety-three thousand nine hundred and ninety livres; to this sum must be added one hundred and forty-thousand livres due to M. Beaumarchais and the one hundred and twenty-five thousand livres deducted in the estimate as having been drawn for by the resolutions of the 19th of May, 1780. These sums together amount to two millions four hundred and sixty-two thousand nine hundred and ninety livres; to which I will add, for contingencies, one hundred and thirty-seven thousand and ten livres more, making the whole amount two millions six hundred thousand livres; wherefore suppose the grant of moneys to pay bills for the year 1780 to have been but three million livres, and it appears evidently to have been at least that, there would have remained in your hands a balance of four million livres, which is more than I have deducted from the amount of my estimate.

On the whole, then, I conceive myself well grounded in the opinion that the whole loan is still at our disposal; and this opinion is so well



supported by the Count de Vergennes' letter to you, that I might with great propriety insist on that point. The letter, therefore, which I shall write, with such act of Congress as may be made in consequence of yours of the 11th of June, will proceed entirely upon that supposition.

I must, however, remark to you in this place that I by no means intend to insist rigidly with the court on points which may incommode them. We are neither in a situation to do it, nor would it be proper even if we were. But, while I say this, I do not mean to preclude myself from such observations as my duty shall render necessary on any transaction which has happened or which may happen hereafter.

I enclose you an account containing the extent of what I conceive to have been the appropriation of the supplies above mentioned, together with an invoice from the board of war, amounting to the sum of one million seven hundred and seventy-seven thousand five hundred and twenty livres and ten sols, and which I will call one million eight hundred thousand livres, from which it will appear that there must remain subject to my disposition the sum of four millions at least after replacing the *Lafayette's* cargo and purchasing the articles mentioned in the invoice.

I have had the honor to mention to your excellency that I have had the misfortune to differ in opinion with the minister of France. This is open upon two points, namely, the drawing of bills by me and the amount of what may remain due by the court. From the correspondence between us, which is contained in the enclosed papers, there will appear to have been some warmth on the occasion; but this rather arose from the nature of the transaction than anything else. I know not what impression it may have left on his mind, but for my own part, as I greatly respect him, I sincerely feel for a situation to which the orders of his court have reduced him; and although the language of his letter of the 24th of November, evidently intended for his court, was so pointed as to force me into the observations contained in mine of the 26th in my own justification, yet I was almost as much wounded while writing as he appeared to have been at reading it. I am much inclined to believe that he wishes to place this business substantially in the same point of light that I do. The whole correspondence is enclosed, that you may be in a capacity to make any proper observations which occasion may dictate.

Before I take up this correspondence more particularly, I must detain you one moment longer to mention the facts which preceded it. Before my acceptance of the office I now hold, the Chevalier de la Luzerne informed me that the court had given money to the United States with the determination that it should be at the disposal of General Washington, but that upon my acceptance he would authorize me to draw for it. It was agreed between us that I should draw for five hundred thousand livres and so much be deposited to answer the drafts, and by giving him notice in season a new deposit of five hundred thousand

livres should be made, and so on from time to time. Shortly afterwards I formed a plan to get money from the Havana, and explained it to the Chevalier. He approved of it, and in consequence I drew a bill on Messrs. Le Couteulx & Co., the 17th of July, for five hundred thousand livres; but the capture of the *Trumbull* frigate prevented the negotiation of that bill, which, being then on board of her, intended for Havana, was sunk with my despatches; and the knowledge that Colonel Laurens was then on his way with specie, together with the expectation of that which was to be sent by the way of Holland, prevented a repetition of the experiment upon Havana at that time. It was previously to the 2d of July, 1781, that the chevalier agreed that I should negotiate bills for one million five hundred thousand livres, of which the five hundred thousand livres to have been negotiated at the Havana was a part.

You will see enclosed my letter of the 2d of July upon this subject, which was the day before M. de la Luzerne went to camp, and also M. de Marbois' answer to it. My reply of the 4th closes the matter at that time; and then it was understood on all hands in the manner I have just now mentioned, and which I have, you will perceive, insisted on through the whole of my correspondence, and which was equally insisted on in a variety of conversations.

That part of the letter last mentioned, which relates to the effect of drawing bills, together with the letters of the 2d and 3d of August, need no comment. They merely serve to show the desire which animates the servants of the United States to economise the resources of France. I am not disposed to criminate, but it is right that I should inform you of my opinion, which is that the French troops in this country have cost much more than was necessary, if my information is not extremely erroneous. I have now in contemplation plans for feeding them more cheaply, and I think the French ration ought not to cost more than half a livre, at least not much more, if so much. The officers who now return to Europe can best answer whether it has formerly exceeded that amount, and the court must know how much has been lost on the negotiation of their bills. While on this subject it is my duty to add that the minister of France here has demonstrated the most earnest desire to introduce economy in the expenditures of the army, and that the readiness shown by the Count de Rochambeau and other general officers to aid in it demand acknowledgments.

On the 24th of September the Chevalier wrote me a note, of which a copy is enclosed. This, you will observe, was after the receipt of those letters, in consequence of which he, among other things, communicated the account on which I have already had the honor of making some remarks. This letter, while it assigns reasons for continuing my drafts, shows clearly that the Chevalier had communicated his instructions to stop them, which was done, not only to me, but to the committee. But I confess that I was very far from considering those instructions as

absolute. I concluded that a line of discretion had been left to the minister; and, indeed, his answer to my letter confirmed me in that opinion. This answer is of the 26th. He does indeed say that *it is impossible to depart from the precise instructions received on that subject, and authorise my drafts to the amount of two millions five hundred thousand livres*; but he immediately goes on to permit an addition of two hundred and ninety-eight thousand nine hundred and eighty-one livres fifteen sols and four deniers. Wherefore it follows, that either those instructions left him at liberty to extend those drafts or that he was at liberty to disregard the instructions. I therefore did expect to have gone on to the sum first agreed for. These expectations were frequently mentioned in conversation, and particularly so in that alluded to in mine of the 22d instant.

On the other hand, I must acknowledge that he always mentioned his instructions, but so as to leave me under the original impressions I had received. As this letter of the 22d takes notice of another matter, it is proper to mention here that the Chevalier had observed on a difference between the account he delivered officially to the committee of Congress and the note to the Count de Vergennes; but no pointed conversation on this subject had taken place, he expecting further information from his court, and I hoping daily to hear from you, and being unwilling to raise a question unnecessarily. The reason why I did at last bring it forward is contained in my letter, and therefore I shall say nothing about it. The account sent in that letter needs no comment, although it differs very widely from that marked thirty-three.

I shall only note, that if the sum of six hundred and eighty-six thousand one hundred and nine livres be taken from that mentioned as advanced for stores by order of Colonel Laurens, so as to render that article conformable to what is said in the Count de Vergennes' note, the same sum must be added to the balance; by which means, placing the one million five hundred thousand livres to have been drawn for by me in the stead of that to have been sent out from Holland, the whole will stand as first above mentioned, leaving the amount of the loan untouched. In the close of my letter I mention a determination to *draw on account of the balance*, an expression which appears to have been mistaken. The reason of the assertion will in some degree appear from the answer to it. I will add, that although I shall not risk the drawing of bills while there is any chance that they may return protested, I must nevertheless take measures to obtain the money for very evident reasons, and it is with this view that I have drawn on you in favor of Messrs. Le Couteulx & Co. for one million livres.

You have also a copy of the letter written on the 24th instant in answer to that last mentioned. I shall not here notice the difference between what we have said about the additional million, as well because it is in substance the same, as because I had not insisted on drawing for it. In like manner I shall say nothing about the permis-

sion given me to extend my drafts after the orders to stop them brought by Colonel Laurens; but you will observe that the pointed declaration that the letter of the 26th of September *could not leave me the shadow of a hope, &c.* (with what follows it) stands in such direct opposition to the whole tenor of my letter and to the real state of my expectations, that to have submitted in silence would have been tantamount to the acknowledgment of falsehood. It is indeed easy to perceive that the Chevalier wrote this letter to his court, although he directed it in the first instance to me; and I conclude it to have been in consequence of his last despatches, which had not been received long before his letter was written. The equivocal use of the expression, *as soon as possible*, will not escape you, sir; but it shall meet no other remark from me than this, that I am convinced the court will not apply it in the same sense with the chevalier. Neither the dignity of the prince nor the magnitude of the occasion will permit a reliance on such distinctions.

The state of the account made in this letter I really do not see the propriety of. It seems to have been, in some degree, extracted from the account furnished in September to the committee of Congress, because, if the mistake of six thousand livres in the castings of that account be rectified, it will make the first sum total amount to fifteen millions one hundred and ninety-nine thousand five hundred and one livres, from which deducting ten million livres, being the amount of the subsidy of six million livres and loan of four, there will remain the first article of that account, namely, five millions one hundred and ninety nine thousand five hundred and one livres. But if this be the case, it is a little surprising that the chevalier should not have noticed a deduction made in that very account of the two first articles, amounting to three millions four hundred and sixteen thousand livres, which are, it is there said, to be added to the advances formerly made to the Congress.

It is somewhat extraordinary that all these should be considered by the chevalier as advances made in the month of September. For although that account was rendered in September, yet four millions six hundred and ninety-four thousand three hundred and ninety-two livres are expressly mentioned as being to be furnished. I shall dwell no longer here, but I must repeat, notwithstanding the polite manner in which the assertion has been contradicted, that my operations have received a very severe, as well as material, check from stopping my drafts; not so much on account of the value of the three hundred thousand livres, as because, while they were negotiating, I should undoubtedly have received those advices from you which would have enabled me to go on in the same line. I had brought the exchange up very nearly to par, and should soon have sold at seventeen pence this money (Pennsylvania money) for a livre, or eight shillings and six pence for a crown, which is worth here at the extent but eight and four pence. This would,

therefore, have been two per cent. advance, with a saving of time, freight, and insurance; and, although a very large sum could not have been negociated during the winter, perhaps not more than one million five hundred thousand livres, yet that would have enabled me to go on making the preparatives for an early and vigorous campaign, and kept every thing in train till some money could have been either shipped from Europe or so negociated as to be sent hither from Havana.

I will take no notice of what is said in the letter now before us as to the error of six thousand livres, because you must at once perceive how little it was an object of conversation, and how easy to be remedied by any clerk without waiting either orders or instructions from the court; and because you must also perceive the material omission of four million livres, which can not be overlooked, let the calculations be combined as they may. I have not, however, the less concern about it, because so rigid an adherence to so palpable an error leads me to fear a design, which the generous conduct of the king will not permit me to suspect.

Having already given my sentiments as to the interest of loan-office certificates, I will not now repeat them. As to the replacing the *Marquis de la Fayette's* cargo, it is a matter which I will not seriously contend about, because, although there will not be use for all the articles, there certainly will for many of them; and therefore I hardly think a representation on that score necessary, because there is no use in multiplying disagreeable considerations. But, by the way, I must observe that it is a little extraordinary this cargo should have been replaced out of the loan to have been opened, &c., at your request, while at the same request money could not be obtained to pay the bills drawn by the order of Congress, as appears from your letter, and that from the Count de Vergennes, which is enclosed in it. The idea of making advances for any individual State from the funds of the United States must never be admitted by any servant of Congress. It will be quite time enough to do that when they shall have complied with the several requisitions made upon them, and when they shall have intrusted these subaltern negociations to the ministers whom Congress have appointed. Such advances stand on a very different ground, indeed, from those made for purchasing a lake cargo to that of the *La-Fayette*, and it can not be expected that they should be passed to the account of Congress. Besides this, the successes to the southward have rendered succors of that sort unnecessary. What has already been said will render observations on the letters of the 26th instant unnecessary.

On the whole matter, I have to request your exertions to have this affair settled as soon as possible, and that you will cause the whole of what remains to be paid over to Messrs. Le Couteulx & Co., sending me notice thereof by every opportunity, that I may attend to the dis-



position of it. I mean, nevertheless, that a reservation should be made of what is necessary to purchase the articles mentioned in the enclosed invoice of the board of war. I wish you to have as little trouble as possible in this business, and therefore I am to request you to employ in it Mr. Barclay, our consul-general, and Mr. Matthew Ridley. They are both gentlemen of knowledge and integrity, and I doubt not will perform it with economy and expedition.

You will also be pleased to take arrangements with the minister of marine, and give your consequent orders to those gentlemen, so that all articles, of every sort and kind, which are the property of the United States, and now in Europe, may come under safe convoy to this port. The Marquis de la Fayette, who is charged with the General's instructions on military subjects, will assist in combining matters so as to accomplish these objects. I confide, sir, that your wisdom and his vivacity will produce the most beneficial consequences.

Let me add, while I mention the depositing all which remains due to us with Messrs. Le Couteulx & Co., that I wish you, in conformity to the act of Congress enclosed, to pay the sum of forty-two thousand one hundred and eighty-nine livres therein mentioned, with the interest, to William Lee. Let me also mention my desire that you would retain two millions two hundred thousand livres to pay interest bills drawn from the 1st of September to the 1st of April next. I will take such arrangements as will save you the trouble of doing this business in future, and I mention it here, although the money will come more properly under the head of supplies to be asked from the court for the ensuing year.

The declarations that no more pecuniary aid will be afforded to us are very clear and explicit; but I trust that these declarations will not be adhered to. The interest bills, as I just now observed, will amount to about two million livres. You have to pay M. Beaumarchais two millions five hundred and forty-four thousand livres, and the clothing and stores necessary will amount to four million livres. Besides all this, we must have money, so that it will become necessary to obtain at least twelve millions. When I mention this sum I take the lowest, and I do it from my sincere desire not to burden the finances of France with American demands; but I think such clear reasons can be assigned for it as must produce conviction.

You have a copy of my letter to the chevalier of the 3d upon this subject. You will have observed that my circular letter of the 19th of October, which was enclosed in this of the 3d instant, is so formed as to lower the expectations of the several States, and accordingly the account sent with it is framed from the erroneous one before mentioned, and the four millions are totally omitted. The languor of the States had been so fostered by their teeming expectations from France, that it became my duty to prevent, if possible, the ill effects of it. But on the other hand a circular letter could not be public, and it necessarily

contained such matter as must stand in the way of procuring a proper settlement of past accounts with the court or of obtaining future supplies from them. I therefore communicated that letter to the minister, and as he very naturally asked a copy, I took the first opportunity, after the many necessary copies could be made out, to send it with mine of the 3d instant. This contains, as you will perceive, some short reasons why we want, and why France should grant, pecuniary assistance. The answer to it of the 4th instant and my reply of the 6th close the correspondence on that subject.

This last was intended to take off from the force of those observations as to the king's wisdom and integrity, which had rather more of republican simplicity than courtly elegance. As my letter of the 3d was not intended to convince the minister—that being unnecessary, as I am persuaded the conviction was already produced—but to prevent any improper conclusions from my circular letter, so it was unnecessary to make any particular reply to his observations, because, after all, a paper argument in Philadelphia can have but very little influence at Versailles; and as the chevalier observed very properly in one of his letters, the instructions from his court must necessarily form the basis of his opinion. The proper and useful mode, therefore, of convincing him is by stimulating them.

Knowing as I do the great force and compass of your talents, I should not presume to add one word of remark on the chevalier's letter, if I were not convinced that, as it was written for the court, so it will be necessary to oppose it in some degree by a knowledge of facts which may not be in your immediate view. He takes it for granted that the people will make extraordinary efforts in consequence of their successes, and I will readily admit that they have the ability and ought to have the inclination; but they must differ much from former experience if they do exert themselves. I will admit that their rulers ought to urge them into activity; but it must be remembered that those rulers are themselves of the people, that their ideas and views are limited, and that they act like the people rather from feeling than reflection. I speak here of the several legislatures, for I must repeat again and again that our general system has not grown into that form and vigor which can communicate the impulses of a sovereign mind to the remotest members of subjected power. I will admit that a monarch would on so brilliant a success call into action all which his kingdom possessed of strength and resources, but America is not under monarchical government. I will admit further that if the object of the war was conquest instead of security, every victory would give new animation to all the members of our republican Confederacy; but this war is not carried on for conquest. While it rages in any quarter it makes food for itself. The inroads of the enemy create opposition. An application is then made immediately to the feelings of the people; but when the inroad ceases, when the enemy retires, the storm subsides,

each man returns to his domestic pursuits and employments, and thinks no more of the scenes which had just passed before him. It is true that this is only changing the field of battle. But America is so extensive, that a shock given at one extremity is lost before it reaches the other.

This true picture of our country, while it demonstrates the impracticability of subjecting it, explains the reasons why our exertions have always disappointed both our friends and our enemies. If then, as the fact is, the mere change of position at the option of the foe can so lull our people to rest, how much more are we to expect it will follow from the capture of a considerable part of his force. To reason rightly on the late events we must admit the ability to make greater exertions, and then seek the means of calling them forth. This, sir, can only be accomplished by pecuniary aid. The chevalier observes that the king's obligations to us have been exceeded. This is but a narrow idea. If the king is engaged to support the war until our independence is established, his simple object of inquiry will be, how that can be most speedily and cheaply accomplished. It is certain that America ought to do everything in her power, and you may assure the court that Congress and the servants of Congress are sensible of this duty, and determined to comply with it. But it is in vain to think of breaking the bounds of possibility, and equally vain to think of changing the nature of man.

Let me add that there is little propriety in reproaching Americans with faults inseparable from humanity. Besides this, the exertions of our country have really been very great, and as soon as more consistency shall have been put in the administration, they will again be great; but this is the period of weakness between the convulsive labors of enthusiasm and the sound and regular operations of order and government.

There is in the end of the chevalier's letter a hint in relation to our commerce, which, although it does not immediately apply to the present purpose, must not pass unnoticed. That an indirect commerce has taken place with England is true, and that France has in a great measure been the cause of it is equally true. Men will naturally buy where they can obtain things most cheaply. The prime cost of goods, though a great object in time of peace, is not equally so in time of war. The freight and the insurance are then so high, that a small difference of danger or convenience will counterbalance a great difference in price. When France, by subscribing to the principles of the armed neutrality, gave her enemy the means of bringing her manufactures in safety to our neighborhood, she tempted our merchants to buy those manufactures. She added the motives of interest to the force of habit, and ought not, therefore, to be surprised that such cogent principles have had effect. One mode remained, that of convoying the trade between France and America, and that mode has been neglected. I am happy, however, to observe that this British commerce is dwindling very fast.



The war with Holland has given it one deadly blow, and if our privateers are once more freed from the shackles too hastily imposed upon them, I can not doubt but that the trade of this country will flow directly to France, as indeed it ought to do.

And now, sir, before I close this letter, let me make one further observation with respect to the future supplies from his majesty. To solicit them is considered as asking for assistance in a war whose object is of the last importance to us. This is the point of view in which I have placed it and in which I am desirous it should stand. But there is another method of looking at it, and although delicacy will forbid us so to present it, yet you may depend upon it that there are many who have taught themselves to reason about it in a different way from what you or I would wish. Whether Britain will acknowledge our independence is a question which is to be answered only with some modifications. If, in consequence of such an acknowledgment, we would forego our connection with France there is no manner of doubt but she would make it immediately. This would on our part be wrong, and therefore it ought not to be done; but, sir, when this great object shall be presented on the one side and the weight of new and great taxes be felt on the other, with all their ancient prejudices and predilections in aid, will not there be some men who for the shades of ease will quit the paths of virtue?

I have the honor to be, &c.,

ROBERT MORRIS.

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Livingston to Jay.\*

PHILADELPHIA, *November 28, 1781.*

DEAR SIR: I wrote so fully to you not long since, that I should not trouble you at this time if I had not determined to omit no opportunity of letting you hear from this side of the water, and enabling you at all times to meet any falsehood the enemy may find it politic to publish.

Since the capture of Cornwallis nothing very material has happened. The ravaging parties on the northern frontiers have been defeated with great loss by the militia. The armies have taken their stations for the winter quarters; the French in Virginia and Maryland; our troops on the Hudson, excepting some detachments under General St. Clair, destined to reinforce General Greene. They have orders to take Wilmington in their way, where the enemy have about six hundred men. It is probable they will not wait the attack. General Greene will have men enough to shut up the enemy, but not to force their strongholds. Want of money cramps all our exertions and prevents our making a glorious winter campaign. The enemy are shut up in two or three points of

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\* MSS. Dep. of State; 4 Sparks' Rev. Dip. Corr., 371, with verbal changes; 2 Corr. and Pub. Papers of John Jay, 153.

land, which is all they possess of the immense country they hope to conquer, and even these they hold by a very precarious tenure. Disaffection, which has languished for some time past, died when Cornwillis surrendered.

Congress are occupied in taking measures for an active campaign, and they feel themselves satisfied with everything both at home and abroad.

[Here follow 20 lines of cipher.]

Congress have dissolved Mr. Adams' powers to make a treaty of commerce with Great Britain, and, as you know, joined Dr. Franklin and Mr. Laurens in his other commission, if England should at length be wise enough to wish for peace.

The Marquis de la Fayette is the bearer of this. He has promised to convey it with safety to you and to correspond with you in such a manner as to enable you to avail yourself of the knowledge which he has acquired that may be of use to you. The resolves of Congress, of which I enclose a copy, show their sense on this subject, and the confidence which they very justly repose in him. His Aide waits for this. Adieu, my dear sir.

Believe me to be, with the highest respect and esteem, &c.

ROBERT R. LIVINGSTON.

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Livingston to Dumas.\*

PHILADELPHIA, *November 28, 1781.*

SIR: It is necessary to inform you that the correspondence with you will in future be through the office of Foreign Affairs, at the head of which Congress have done me the honor to place me, as will appear by the enclosed resolutions.

I have before me your interesting letters from December to July. The minute detail into which you go of the facts in which either your government or ours is concerned is highly acceptable to Congress. You will not, therefore, fail to continue it, and from time to time transmit, in addition thereto, such papers and pamphlets as serve to throw light on the politics of the United Provinces or of the northern powers. Dr. Franklin will defray the expense to which this may put you. Be pleased to subscribe for the Leyden and Amsterdam Gazettes, and transmit them to me as opportunity offers. We have as yet received no account from Mr. Adams of the presentation of his memorial or the reception it met with, nor any other particulars on this interesting subject than what you have related. We consider this as a proof of his reliance upon your exactness in the relation.

You have before this heard the variety of agreeable events which have, with a Divine blessing, taken place in America. The particulars

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 340, with verbal changes.

of the capture of Cornwallis and General Greene's victory are sent to Mr. Adams, though you will probably have them earlier by way of France. Our affairs here are in such a situation that even our enemies have given up the idea of conquest or the most distant expectation of our reunion with Great Britain, whose unheard-of cruelties have excited the most inveterate hatred. This is, perhaps, the moment in which other nations might, by a generous and decided conduct, take their place in our affections; and, before our tastes were so formed as to give the preference to the fashions or manufactures of any one country, to establish their commerce with us on the ruin of that of Britain. I wish, both for your sake and ours, that the United Provinces knew how to avail themselves of this invaluable opportunity by entering boldly into commercial connexions with us, and by ingratiating themselves into our affections by some such act of friendship as would strike the senses of the people. But alas! this is too daring for your councils, and is rather to be wished than expected.

It gives me pain to inform you that Lieutenant-Colonel Bedaulx is dead. It will, however, be some consolation to his friends (in whose sorrows I sympathise) to hear, after what has been injudiciously repeated to them, that his reputation was untarnished, and that he died with the character of a man of honor and a soldier, fighting in the cause of freedom at Savannah.\*

Congress are very sensible of your attention to their interest, and wish the situation of their finances would admit of their rewarding it more liberally; but having retrenched expenses of every kind, and reduced the salaries as low as the strictest frugality requires, they do not think it expedient at this time to make any additions to that allowed you by Dr. Franklin, which they will direct him to pay regularly. You will be pleased in future to direct your letters, not to the President, but to me, as Secretary of the States for Foreign Affairs; and when you favor us with anything written in French or Dutch, to give it in the original language. This may save you some trouble, and enable us in quoting it to make use of the original expression, which you know is often very necessary. As you appear to labor under a mistake with respect to Mr. Searle, I take the liberty to inform you that he is not a member of Congress, his delegation having expired before he left America. I can not close my letter without congratulating you on the spirit and gallantry of Admiral Zoutman and his officers and men. Had Britain known that your Van Tromps and De Ruyters were still alive, she would have thought the treasures of your islands too dearly purchased by provoking their resentment.

It will give you pleasure to hear that the British have been foiled in every quarter of this country. A considerable body of them, with a number of Indians, who crossed the lakes from Canada upon a ravaging expedition, with no nobler view than that of burning farm houses

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\* See General Bedaulx's letter to M. Dumas on this subject, *supra*, April 28, 1781.

and scalping women and children, were met twice and defeated, with considerable loss in killed and prisoners, by *an inferior number of militia*.

Congress are engaged in preparations for the most vigorous exertions as soon as the spring shall open, from which, by the blessings of Divine Providence, we have the highest reason to promise ourselves success.

I am, sir, with great esteem and respect, &c.,

ROBERT R. LIVINGSTON.

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J. Adams to Jay.\*

AMSTERDAM, *November 28, 1781.*

SIR: I had the honor to write to you on the 26th instant by the post, a conveyance which I am determined to try until I am certainly informed of its infidelity, in which case I will ask the favor of the French or Spanish ambassador to enclose my despatches.

I received by the last post a duplicate of despatches from Congress, the originals of which I received some time ago. I presume you have received the same from Congress or from Passy; but if otherwise, I will enclose in a future letter a commission and instructions for assisting at the conferences for peace at Vienna or elsewhere whenever they may take place. In this commission Congress have added Mr. Franklin, President Laurens, your excellency, and Mr. Jefferson, a measure which has taken off my mind a vast load, which, if I had ever at any time expected I should be called to sustain alone, would have been too heavy for my forces.

The capture of Cornwallis and his army is the most masterly measure, both in the conception and execution, which has been taken this war. When France and Spain shall consider the certain triumphant success which will ever attend them while they maintain a naval superiority in the West Indies and on the coast of North America, it is to be hoped they will never depart from that policy. Many here are of opinion that this event will bring peace; but I am not of that mind, although it is very true that there are distractions in the British cabinet, a formidable faction against Lord G. Germain, and it is said the Bedford party are determined to move for peace.

Our late triumphs have had an effect here. I have received several visits of congratulation in consequence of them from persons of consequence from whom I did not expect them. But they are invisible fairies who disconcert in the night all the operations of the patriots in the day.

There will probably be a proposal soon of a triple alliance between France, America, and Holland. If Spain would join and make it quadruple, it would be so much the better.

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\* 3 Sparks' Dip. Rev. Corr., 505; 7 J. Adams' Works, 486.

General Greene's last action in South Carolina, in consequence of which that State and Georgia have both re-established their governments, is quite as glorious for the American arms as the capture of Cornwallis. The action was supported even by the militia with a noble constancy. The victory on our side was complete, and the English lost twelve hundred men.

I have the honor to be, &c.,

JOHN ADAMS.

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Morris to the President of Congress.\*

OFFICE OF FINANCE, *November 29, 1781.*

SIR: Having just now received a short letter from Mr. Jay of the 1st of September, from St. Ildefonso, I find it my duty to communicate the contents immediately to the United States in Congress assembled. Mr. Jay informs me that he expects soon to be under the necessity of protesting the bills drawn on him; that Dr. Franklin has hitherto saved that necessity; but that he can not advance much more unless by the express order of Congress. He says, further, that he has but little hopes of loans or subsidies from Spain; that the ship *America* is neither sold nor engaged, and that the Spanish court seems determined to do nothing until the campaign ends.

I have the honor to be, &c.,

ROBERT MORRIS.

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Hanson, President of Congress, to the King of France.†

NOVEMBER 29, 1781.

The United States in Congress assembled to their great, faithful, and beloved friend and ally, Louis the Sixteenth, King of France and Navarre:

GREAT, FAITHFUL, AND BELOVED FRIEND AND ALLY: At a period so glorious to the arms of France both by sea and land, and so favorable to the fortunes of America, it is with particular satisfaction that we congratulate the monarch whose wise counsels and generous support have so largely contributed to events illustrious in themselves, and promising consequences truly important.

We wish to convey to your majesty our sense of the victory obtained by the Conut de Grasse over the enemy's fleet on our coast and the subsequent reduction of the British armaments in Virginia; and we repeat our grateful acknowledgments for the various aids so seasonably extended to us. From the benevolence and magnanimity which has hitherto interested your majesty in the welfare of these States, we are

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\*MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 398, with verbal changes.

†MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 37.

convinced that you will on this occasion feel an equal pleasure with ourselves, whose immediate advantage is the result of such fortunate exertions.

We mention with great pleasure the zeal and ability manifested by the Count de Rochambeau, commanding your majesty's forces in the allied army. His conduct, and that of his officers under him, merit our fullest approbation; and we are made further happy by the perfect harmony and affection which has subsisted between the troops of the two nations.

The distress occasioned to the common enemy by combined operations will, we trust, point out to both nations the utility of similar measures in future; and whilst it induces your majesty to supply that naval force which the situation of our country renders necessary, will urge the United States to every effort which their particular interests, added to their desire of seconding your majesty's views, can call forth to ensure the complete success of attacks upon the enemy's strongholds.

It is with great pleasure that the United States continue to number some of your majesty's subjects amongst their most able, spirited, and faithful officers. It affords the world a striking proof of the intimate connexion which subsists between the allied nations, and at the same time serves to cement the union which it manifests.

Major-General the Marquis de la Fayette has in this campaign so greatly added to the reputation he had before acquired, that we are desirous to obtain for him on our behalf even notice in addition to that favorable reception which his merits can not fail to meet with from a generous and enlightened sovereign; and in that view we have directed our minister plenipotentiary to present the marquis to your majesty.

We pray God, great, faithful, and beloved friend and ally, always to keep your majesty in his holy protection.

Done at Philadelphia the twenty-ninth day of November, in the year of our Lord one thousand seven hundred and eighty-one, and in the sixth year of our Independence, by the United States in Congress assembled, your faithful friends and allies.

JOHN HANSON,  
*President.*  
CHARLES THOMSON,  
*Secretary.*

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Morris to Fleury. \*

PHILADELPHIA, *December 3, 1781.*

M. de Fleury will have the goodness to pardon an entire stranger for intruding one moment on that attention which is engaged in so many important objects. I have been called, sir, almost at the same time

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\* 6 Sparks' Dip. Rev. Corr., 400.



with you, though in a different country, to the same office. The intimate alliance and connection between our sovereigns is such that we are engaged in the same cause. My first steps have encountered difficulties, and you have afforded the first means of surmounting them. Thus I flatter myself, from your clear view of the interests of France, that you are disposed to give pecuniary aid to America. I will not pretend to delineate the advantages resulting from it to the penetrating mind which has already conceived them. I will only add my wish that your name may be enrolled among those true friends of France who, by espousing warmly the cause of this country, have shown themselves to be equally the friends of all human nature. To defend, to assert, and to vindicate the insulted rights of man shall be the solid monument of glory which his minister will industriously raise for your royal master.

With every fervent prayer for their most perfect success, and with the sincerest esteem and attachment, I pray you to believe me to be, sir, &c.,

ROBERT MORRIS.

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Morris to Grand.\*

OFFICE OF FINANCE, *December 3, 1781.*

SIR: When I was called to the superintendence of the American finances it became necessary to appoint a banker with whom to deposit the moneys which were to be granted by the court for the payment of my bills. Your house naturally presented itself to my consideration, but as I knew you to have large accounts open, and as I wished that my transactions should be kept in a separate, clear, and distinct manner, I named for this purpose the house of Messrs. Le Couteulx & Co. At the same time I wrote to his excellency Benjamin Franklin, the minister plenipotentiary of the United States, upon that subject, and was honored with his answer two days ago. He has mentioned your services to my country in those warm terms of gratitude which are due to early, vigorous, and disinterested exertions. My deep respect for the opinions of that worthy minister, my desire on all occasions to evince the gratitude of my country, added to those favorable impressions which your conduct has made upon my mind, have induced me to employ you as a banker in the affairs of the United States.

You will be pleased, sir, to close your former accounts and in due season transmit them. For subsequent transactions you open new accounts, and from time to time keep me informed of the state of our affairs. The allowance formerly made of one-half per cent. on the moneys which pass through your hands will be continued.

The intelligence lately received gives strong hopes that the loan of

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\* 6 Sparks' Dip. Rev. Corr., 398.

five millions of guilders, opened in Holland, will have been completed before this reaches you. One million of these is appropriated to purchasing certain articles for our army; and I now direct one million to be deposited with you, and one million with the house of your brother in Amsterdam, subject to my drafts. The remaining two millions are to be shipped for this country.

As I am not positively instructed that this loan has succeeded, I do not venture to draw bills on you; but in case you shall be in cash for the United States, which I expect will happen, you will pay to Messrs. ——— & Co., for account of John Ross, the sum of two hundred thousand livres; to Messrs. Le Conteulx & Co., for account of William Bingham, one hundred thousand livres; and to John Holker, for account of John Holker fils, the sum of one hundred thousand. From each of these persons you will take quadruplicate receipts, in the form following: "Received of ———, banker, by order of the superintendent of the finances of the United States of North America, on behalf of ———, the sum of ———, being so much paid by the said States to him, the said ———, for which I have signed four receipts, all of this tenor and date.

Done in Paris this—— day of ———, 178—."

You will be pleased, sir, to forward to me three of the copies by different opportunities.

I am, sir, &c.

ROBERT MORRIS.

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**J. Adams to the President of Congress.\***

AMSTERDAM, *December 4, 1781.*

SIR: I have received those instructions with which I was honored by Congress on the 16th of August, and communicated them forthwith to the French ambassador, to their high mightinesses, and to the American ministers at Versailles and Madrid.† The Duc de la Vauguyon was of opinion that they were very well considered and very well timed to counteract another trait of British policy in agreeing to the mediation of Russia for a separate peace with Holland. The British ministry mean only to aid the stocks and lull the Dutch.

There is no longer any talk of a congress at Vienna. The late news of General Washington's triumph in Virginia and of the friendly and effectual aid of the Counts de Rochambeau and de Grasse have made a great impression here and all over Europe. I shall punctually observe my instructions, and consult in perfect confidence with the Duc de la Vauguyon in the execution of my late commission. A quadruple alli-

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 506, with verbal changes; 7 J. Adams' Works, 487.

† For these instructions and Mr. Adams' new commission to form a treaty of alliance with the United Provinces, see the secret journals of Congress, vol. 2, pp. 470, 472,



ance for the duration of the war would probably soon bring it to a conclusion ; but the Dutch are so indolent, so divided, so animated with party spirit, and above all so entirely in the power of their chief, that it is very certain that they will take the proposition *ad referendum* immediately and then deliberate upon it a long time.

This nation is not blind. It is bound and can not get loose. There is great reason to fear that they will be held inactive until they are wholly ruined. Cornwallis' fate, however, has somewhat emboldened them, and I have received unexpected visits of congratulation from several persons of note ; and there are appearances of a growing interest in favor of an alliance with France and America. If I were now to make the proposition I think it would have a great effect. I must, however, wait for the approbation of the duke, and he perhaps for instructions from Versailles, and, indeed, a little delay will perhaps do no harm, but give opportunity to prepare the way. The general cry at this time in pamphlets and public papers is for an immediate connexion with France and America.

The consent of Zealand is expected immediately to the loan of five millions for his most Christian majesty. My loan rests as it was, at a few thousand guilders, which, by the advice of Dr. Franklin, I reserve for the relief of our countrymen who escape from prison in England in distress. I have ordered a hundred pounds for President Laurens in the Tower at the earnest solicitations of his daughter, who is in France, and of some of his friends in England, but for further supplies have referred them to Dr. Franklin. I some time since had an intimation that the British ministry were endeavoring to form secret contracts with traitorous Americans to supply the masts for the royal navy. According to my information, the British navigation in all parts of the world is at present distressed for masts, especially those of the largest size. Congress will take such measures as to their wisdom shall appear proper to prevent Americans from this wicked and infamous commerce. I wrote to Mr. Franklin upon the subject, who communicated my letter, as I requested, at court, and his excellency supposes that the Count de Vergennes will write to Congress or to the Chevalier de la Luzerne upon the subject.

The Continental goods left here by Commodore Gillon are detained for freight and damages, and very unjustly, as I conceive. I am doing all in my power to obtain possession of them and send them to America, or dispose of them here at as little loss as possible, according to the desire and advice of Dr. Franklin. It is not necessary to trouble Congress to read a volume of letters upon the subject of these goods. All that can be done by me has been and shall be done to save the public interest. This piece of business has been managed as ill as any that has ever been done for Congress in Europe, whether it is owing to misfortune, want of skill, or anything more disagreeable.

The court of Russia does not at present appear to be acting that noble

part which their former conduct gave cause to expect. Mr. Dana is at Petersburg, but he prudently avoids writing. If he sees no prospect of advantage in staying there he will be very silent, I believe, and not stay very long.

I have the honor to be, &c.,

JOHN ADAMS.

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Morris to Franklin.\*

OFFICE OF FINANCE, *December 5, 1781.*

SIR: I was yesterday morning favored with yours of the 12th of September, enclosing third copies of your two letters of the 26th of July, also a copy of Count de Vergennes' letter to you of the 23d of August. I find by these letters that the idea I had entertained as to the advances made by the court was not so favorable as the truth, and that the ten millions of livres, or five millions of florins, to be borrowed in Holland will be over and above those advances. How much pleasure I receive from that circumstance you will easily conceive. It is an additional pleasure that the labor of adjusting the matters mentioned in mine of the 27th of November will be saved to you.

I am much surprised to find so large purchases made on account of the United States in Holland. If everything else were equal, the generous conduct of France towards us has been such that I can not but think that every possible preference ought to be given to the manufactures of that nation. But there is, in my opinion, very essential preferences of a different kind. The position of Amsterdam is unfavorable in a war with England to a commerce with this country. France also can, and I suppose will, give convoy to the articles procured there. But I will dwell no longer on the subject, for I trust that nothing of the kind will happen hereafter.

Should the loan be obtained, you will be so kind, sir, as to deposit one million florins with Mr. Grand, to whom I will pray you to deliver the enclosed letter. I shall, in consequence, not draw upon you for a million of livres in favor of Messrs. Le Couteulx & Co., as I intended; and, in like manner, I beg leave to revoke what I have said on the subject of paying all balances into their hands in my letter of the — last. One million of florins you will also be pleased to deposit with the house of Grand at Amsterdam, sending me the precise address of both, so that I can direct my bills properly to them. Nearly one million will be necessary to pay the invoice sent in my letter of the — last. The remaining two millions I wish may be shipped from France in gold by proper vessels of war, which I dare say will readily be provided by M. de Castries.

I perceive you have not written to Congress on the subjects mentioned

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\* 6 Sparks' Dip. Rev. Corr., 400.

in the letter of the Count de Vergennes of the 23d of August, which I am glad of. The more that an opinion prevails here that we must succor ourselves the more we shall do it; and therefore I shall not communicate what you have said for the present; but, as the best acknowledgment, I shall endeavor to further the operations against the common enemy, and draw forth all our resources for an early and vigorous campaign. The splendid and important success which has crowned the combined arms in Virginia is, I hope, only an earnest of what is to be done next year. These are the returns which we shall make to the king for the aid he so generously affords. And I have a very particular satisfaction in assuring you that, throughout this country, a strong attachment to the French nation is daily taking place of that blind partiality once felt for everything which had the name of English. Let me add for your use a piece of mercantile information lately communicated to me from unquestionable authority. The demand for French goods in this country has raised the prices in France from twenty to thirty per cent. The importations have reduced the prices here nearly twenty per cent., and the exchange, you already know, has been raised considerably.

I shall say nothing to you in this letter on the subject of future supplies, further than what is contained in mine of the — last, because I feel a conviction that you will obtain such as may be necessary. I will only repeat what I have often said, let them be early. I enclose a letter to M. de Fleury, which you will either deliver or not, as may best answer your purposes.

I hope often to have the pleasure of hearing from you, and I pray you to believe me to be, with very great truth, dear sir, &c.,

ROBERT MORRIS.

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Vauguyon to J. Adams.\*

[Translation.]

THE HAGUE, *December 7, 1781.*

SIR: I have received the letter you did me the honor to write me and the copy of the resolutions of Congress of the 16th of August last. I flatter myself that you will not doubt of my zeal to concert with you the ulterior measures which they may require as soon as the king has authorized me. But until his majesty has transmitted to me his orders on this point I can only repeat to you the assurances of my zeal for everything interesting to the common cause of France and North America, and the peculiar satisfaction I shall derive from my connections with you in all circumstances.

I have the honor to be, &c.,

DE LA VAUGUYON.

Jay to Knox.\*

MADRID, *December* 10, 1781.

DEAR SIR: I thank you sincerely for your very friendly letter of the 21st October last, which I had the pleasure of receiving on the 7th inst. I rejoice most cordially with you and every other good American in the important event you communicate, and to which you had both the honor and the satisfaction of essentially contributing.

General Washington has favored me with copies of the articles of capitulation and returns of the prisoners, &c. It gives me very sensible pleasure to find that he commanded in person on this glorious occasion, and had the satisfaction of bringing deliverance to his native, and consequently favorite, part of America. If Providence shall be pleased to lead him with safety and success through all the duties of his station and carry him home with the blessings of all America on his head, I think he will exhibit to the world the most singular instance of virtue, greatness, and good fortune united which the history of mankind has hitherto recorded.

The harmony subsisting between the French troops and ours is an agreeable, as well as an important circumstance, and I am glad the Marquis de la Fayette had an opportunity of cutting some sprigs of laurel on one of the enemy's redoubts. He has given strong proofs of attachment to our cause and country, and as military glory seems to be his mistress, he has my best wishes that she may be as constant to him as he has been to us.

General Greene has deservedly acquired great reputation. He has nobly surmounted a variety of difficulties, and his country has fortunately found resources in his talents and perseverance which the peculiar situation of the southern States rendered no less seasonable than important.

This campaign ends gloriously for us. How far the British counsels may be changed by these events is as yet uncertain. I am much inclined to think that another campaign will precede a general peace. In my opinion, our country would do well to continue making the most vigorous efforts to render peace more essential to her enemies than herself.

It would give me pleasure to transmit to you some interesting advices from this quarter of the world. The sieges of Gibraltar and Fort St. Philip continue. When they will be terminated is impossible to define. The Dutch are praying for peace, and neglecting the means necessary to obtain a proper one. The people do not appear to want spirit, but their government and their rulers subject them to numberless embarrassments.

France is full of joy and ardor, and will, I believe, do her best endeavors to make the next campaign active and brilliant.

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\* 2 Jay's Life, 91; 2 Corr. and Pub. Papers of John Jay, 159.

The emperor is regulating the internal police of his dominions, encouraging commerce, and extending toleration, without suffering himself to be incommoded by ecclesiastical privileges or immunities. He seems to be seriously preparing to be great and formidable. He undoubtedly possesses the means of power, and it is said has talents to use them to advantage.

With great esteem, &c.,

JOHN JAY.

**Luzerne to Livingston.\***

[Translation.]

PHILADELPHIA, *December 11, 1781.*

SIR: I have received the letter with which you yesterday honored me. I have, consequently, the honor of sending you triplicate copies of a letter which I wrote to the Count du Durat, governor of Grenada. Be pleased to send it to the persons whom it concerns, and at the same time to advise them to annex to it copies of their memorial in French. I hope that it may prove satisfactory to them. I can do nothing else in affairs of this kind except to invite the admiralities of our islands to take them into consideration.

I have the honor to be, &c.,

LUZERNE.

**Luzerne to Durat, Governor of Grenada.\***

[Translation.]

PHILADELPHIA, *December 11, 1781.*

SIR: I have the honor of sending you a copy of a memorial presented to the State of New Hampshire, and sent by that State to Congress, relative to a ship carried to Grenada by some American sailors whom the English had compelled to serve on board of her. I do not know what are the rules or usages to which the admiralty of Grenada conform in such cases. I merely inform you, sir, that by the laws of Congress, when insurgent sailors bring an English vessel into the ports of the United States it is adjudged as a prize to them. The admiralty of St. Domingo, knowing these laws, have not hesitated, in a similar case, to restore the prize to the Americans who had conducted it into port, after deducting the expenses of the proceeding.

I have the honor to be, &c.,

LUZERNE.

Morris to the Governor of New York.\*

OFFICE OF FINANCE, *December 11, 1781.*

SIR: I have been honored with your favor of the 24th of last month, covering resolutions of the senate and assembly of the 21st and 22d. You will easily conceive, by what passes in your own bosom, how much I feel at a representation of distresses, while the necessity of revenue admits not of alleviation. The legislature are undoubtedly best able to discover and to describe the evils which afflict their constituents, and I should almost in any case bend before so high an authority. But the situation in which I am placed compels me to make some observations which, if they are not admitted to have weight, will not, I hope, be considered as foreign to the purpose.

It is contended by the State agent that the supplies which he has delivered and those which he holds ready to furnish amount fully to the demand for specific supplies; and it is lamented that the army have subsisted from the neighborhood of West Point in former times, leaving thereby a great mass of certificates, which, being useless to the inhabitants, the supplies obtained have to all intents and purposes operated a tax. To this I will add that the resolutions of your legislature state an extra expense which has produced a tax to the amount of one hundred and eighty thousand dollars. If these exertions, joined to the ravages of the enemy and the usurpations complained of, have occasioned distress, they at least demonstrate the abilities of the State in former periods. You will perceive that I am now about to supply the troops by contract, wherefore a ready market for their produce must immediately be opened to the inhabitants of your State. This will enable them to obtain hard money and that will enable them to pay taxes. The great object therefore of the legislature will be to adopt a vigorous and just system of taxation, and to take off all those restraints upon the people which injure, afflict, and impoverish them without producing any advantage to the public. The army must be supplied by law or by force. The latter mode is detestable, and as to the former, certainly the best way in which it can operate is to raise taxes and purchase supplies, because by this means much less of the produce of the country is expended, and in the event the payment of the people is by the produce of the country, that being the only source of national wealth.

As the legislature seems to have great apprehensions on the score of former demands, I take the liberty of enclosing an estimate, which is formed on the supposition that all the specific supplies shall have been delivered, which, as I have already had the honor to observe, is contended for by the agent, though the truth of it can not be admitted before the final adjustment of the amount. The burden of these demands would in such case be very moderate. It is my intention to destroy the paper

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\* 6 Sparks' Dip. Rev. Corr., 402.



money as soon as it can be called in. Wherefore a slight exertion for that purpose will relieve your State from the burden of it.

As to the extra expense which has accrued to the State by calling new levies into the field, it is the business of the United States in Congress to determine upon it. It is, however, my duty to remark that exclusive of the great expense of additional officers, the sum there stated as a bounty is fully equal to the pay and rations of so many men for six months. I am sure that I need not observe to your excellency the impracticability of carrying on a war where it costs as much to enlist a man as it does to feed and pay him for six months. A few such extra corps raised in each State and the bounties charged to the United States in payment of the quota would immediately compel Congress to disband the whole army for the want of the means of subsistence, or to permit the troops to plunder the inhabitants.

In the midst of those complaints of your situation I receive a particular pleasure from the assurance that the legislature will contribute to the general service of the Union their proportion of well-established funds. I hope the recommendation for that purpose will soon come under the consideration of the United States and be duly expedited.

I have the pleasure to add, sir, that a report from this office for the full and final settlement of accounts is now before the Congress. Whenever a determination shall have been made it will be transmitted.

With perfect respect and esteem, I am, &c.,

ROBERT MORRIS.

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J. Adams to the President of Congress. \*

AMSTERDAM, *December* 13, 1781.

SIR: The answer of my Lord Stormont to M. Simolin is as follows:

The alliance which has subsisted so many years between Great Britain and the States-General has always been considered by his majesty as a connexion founded on the most natural relations, and which was not only conformable to the interests of the two nations, but as essential to their mutual well-being. The king has done everything on his part to maintain these connexions and to strengthen them, and if the conduct of their high mightinesses had been answerable to that of his majesty they would have subsisted at this hour in all their force. But from the commencement of the present troubles the single return with which the republic has requited the constant friendship of the king has been the renunciation of the principles of an alliance, the primary object of which was the mutual defence of the two nations; an obstinate refusal to fulfil the most sacred obligations; a daily violation of the most solemn treaties; an assistance given to those very enemies against whom the king had a right to demand succor; an asylum granted to American pirates in the ports of Holland, in public violation of the clearest stipulations; and to fill up the measure, a denial of justice and of satisfaction for the affront offered to the dignity of the king by a secret league with his rebel subjects.

All these accumulated grievances have not permitted the king to act any other part than that which he has taken with the most sensible reluctance. When we

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 509.

laid before the public the motives which had rendered this rupture inevitable, the king attributed the conduct of the republic to its true cause, viz: the unfortunate influence of a faction which sacrificed the interest of the nation to private views; but the king at the same time manifested the sincerest desire to be able to draw back the republic to a system of strict union, efficacious alliance, and reciprocal protection, which has so greatly contributed to the well-being and to the glory of the two nations.

When the Empress of Russia offered her good offices to effectuate a reconciliation by a particular peace, the king testified his gratitude for this fresh proof of a friendship which is to him so precious, and avoided to expose the mediation of her majesty to the danger of a fruitless negotiation; he explained the reasons which convinced him that in the then prevailing disposition of the republic, governed by a faction, any reconciliation during the war with France would be but a reconciliation in appearance, and would give to the party which rule in the republic an opportunity to reassume the part of a secret auxiliary of all the king's enemies under the mask of a feigned alliance with Great Britain. But if there are certain indications of an alteration in this disposition, if the powerful intervention of her Imperial majesty can accomplish this change and reclaim the republic to principles which the wisest part of the nation has never abandoned, his majesty will be ready to treat of a separate peace with their high mightinesses; and he hopes that the Empress of all the Russias may be the sole mediatrix of this peace. She was the first to offer her good offices, and an intervention so efficacious and so powerful as hers cannot gain in weight and influence by the accession of the most respectable allies. The friendship of the empress towards the two nations, the interest which her empire has in their reciprocal welfare, her known impartiality, and her elevated views are so many securities for the manner in which she will conduct this salutary work, and in a negotiation which has for its end the termination of a war caused by the violation of treaties and an affront offered to the crown of the king, his majesty refers himself with equal satisfaction and confidence to the mediation of a sovereign who holds sacred the faith of treaties, who knows so well the value of the dignity of sovereigns, and who has maintained her own during her glorious reign with so much firmness and grandeur.

Thus the mediation of Russia is accepted and that of Sweden and Denmark refused. The instructions of Congress and their new commission of last August are arrived in most happy time to counteract this insidious manœuvre, and I hope the Duc de la Vauguyon will receive his instructions on the same subject before it be too late.

I have the honor to be, &c.,

JOHN ADAMS.

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Livingston to Jay.\*

PHILADELPHIA, *December* 13, 1781.

DEAR SIR: My last letter, of the 28th of November, sent by the Marquis de la Fayette, must for the most part have been unintelligible to you, owing to an unfortunate mistake of Mr. Thomson, who delivered me a cipher sent by Mr. Palfrey, which you never received, instead of that sent by Franks. The duplicate enclosed is in the last, so that you will no longer be at a loss for my meaning. Since the date of that let-

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 372, with verbal changes; 2 Corr. and Pub. Papers of John Jay, 163.



ter the enemy have thought it prudent to abandon Wilmington, in North Carolina. This port was extremely important to them, not only as it checked the trade of that State, but as it directly communicated with the disaffected counties; for it must be confessed that though in other parts of the continent they had only well-wishers, in North Carolina they had active partizans. These they have left to the mercy of their country, and abandoned as disgracefully as the capitulation of York did those of Virginia. It is not improbable that when General St. Clair joins the southern army the enemy will evacuate Savannah, as they are at present extremely weak there; and unless they reinforce from New York, may be attacked with a prospect of success.

Your letter of the 20th of September has been received and read in Congress. They have not been pleased to direct any particular answer thereto, so that you are to consider it as their wish that you execute the commission with which they have entrusted you.

[Here follow two pages of cipher.]

You will see that I neglect no opportunity of writing. I flatter myself that you will be equally attentive to let us hear from you. It is not without some degree of pain that we receive our earliest intelligence frequently from the minister of France. I know you may retort upon us with too much justice, but I hope to give you less reason to do so in future. I send a packet of newspapers with this. I sent another some time ago. I hope they may reach you. In one of them you will find an ordinance of Congress, which comprises all their resolutions with respect to captures, and forfeits all British goods which have not been taken as prizes. Perhaps this may make some arrangements with the court of Spain necessary; that is, if any prize goods are reshipped from thence to America.

I am, my dear sir, with the greatest esteem and regard, &c.,

ROBERT R. LIVINGSTON.

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Greene to Livingston.\*

CAMP ROUND O, SOUTH CAROLINA,

*December 13, 1781.*

DEAR SIR: Your favor of the 22d of October came to hand a day or two since.

I shall be happy to communicate anything from this quarter that may be useful to you or to our affairs abroad, and I have the pleasure to inform you that we have complete possession of all the southern States, Charleston and Savannah excepted.

Civil government is established in Georgia, and the assembly of South Carolina will set the 1st of next month at Camden. We are making preparations for the siege of Charleston, and are not altogether without hopes of obliging the enemy to abandon the place, even if our good

ally should not be able to co-operate with us. The tyrant of Syracuse was never more odious than the British army in this country. Even the slaves rejoice, and feel a kind of freedom from oppression in the return of their masters.

I beg leave to congratulate you upon our late glorious success in Virginia, and upon your own appointment of minister of Foreign Affairs.

I have the honor to be, &c.,

NATHANIEL GREENE.

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Franklin to J. Adams.\*

DECEMBER 14, 1781.

SIR: I duly received your excellency's favors of the 1st and 6th instant. I wrote to you by Mr. Barclay, who went from hence some days since, and I hope is with you by this time, and that he will, with your assistance, be able to settle everything relating to the goods. I have received a long letter from Messrs. Neufville, the purport of which is that they are willing for their part to deliver the goods to you, but that they cannot control the other owners of the ships who have a right, by the laws and customs of Holland, to detain the goods for the damage done by Captain Gillon's refusing to sign the charter parties, and hope that I will not on account of the conduct of the other owners refuse to pay the bills, especially as such a refusal would be derogatory to the honor of the United States. I may be wrong, but my present thoughts on the subject are, that if by the laws of Holland our goods may be detained in the hands of the ship-owners for the fault of Mr. Gillon, by the same laws the property of one of these owners may be detained in our hands for the fault of his partners, and that it as much concerns the honor of Holland that our goods should be delivered to us as it concerns the honor of America that we should pay for them when delivered. And I farther think that if a merchant in Holland, happening to have any of my property in his possession, may, by the laws of his country, detain the same till I pay him whatever he shall please to demand as indemnification for an injury supposed to be done him by some other person, Holland is by no means a safe country for Americans to trade with, nor a Dutch merchant a safe depository for the property of a stranger, or to be the consignee of merchandise sent into his country.

You desire a copy of the terms on which he offered to borrow money for us. At present I only send you an extract of the principal points, much of the writing being matter of form. The first proposition is, "That, for the security of this loan of two millions of guilders, Holland currency, we engaged and *hypothecated* (his words) to said Mr. John de Neufville and Son, of Amsterdam, or their representatives, as we do

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\* 9 Sparks' Franklin, 106; 7 Bigelow's Franklin, 328.

engage and hypothecate to them in the name of the whole Congress of the thirteen United States of North America, generally, all the lands, cities, territories, and possessions of said thirteen States, which they may have and possess at present, and which they may have or possess in the future, with all their income, revenue, and produce, until the entire payment of this loan and the interests due thereon." My observation upon this was, that it demanded an extravagant security for a trifling sum; that it was lending little more than a guilder on each inhabitant's estate, and that it was absurd to require a mortgage on my estate for the loan of a guilder. He answered that this was usual in all loans made in Holland to foreign states, and that the money could not otherwise be obtained.

The second proposition was (*verbatim* as the first), "That out of the produces again through all the thirteen States of America shall be sent over and shipped to Europe, and chiefly, or as much as possible, to the port of Amsterdam, during the ten years of this loan, the double of one-tenth part of this loan to the value of four hundred thousand guilders, which, as far as possible, they will come to Amsterdam, shall be sold there by Mr. John de Neufville and Son, and what goes to other ports by their correspondents, and the money kept at their disposal for the use of Congress, at least during the first five years; and, during the last five years of this loan one-half of this money is to serve to discharge every year one-tenth part of the money borrowed, engaging that before the end of the tenth year there will be committed in such a manner and left in the hands of said John de Neufville and Son, of Amsterdam, a sufficient sum of money to discharge this whole loan, with interest due thereon."

You will observe that this article is obscurely expressed. I was obliged to demand an *éclaircissement* in conversation. The conversation was also difficult to understand, M. de Neufville's English not being then of the clearest. But from the whole, after much discourse, I gathered that we were to send over every year for the first five years, in tobacco, rice, indigo, codfish, oil, &c., &c., the value of four hundred thousand guilders, to be sold by Messrs. John de Neufville and Son for our use, on a commission of five per cent., and that the money was to remain in their hands to enable them to pay off in the last five years the principal of the loan, though one-half of it was to remain in their hands till the end of the term. A subsequent article also provides that one hundred thousand guilders more should be annually sent over in produce to them and sold to discharge the interest.

My objections were, that if we were able to purchase produce in value two millions of guilders to lodge in the hands of Messrs. de Neufville and Son we might use that sum in our affairs at home, and should have no occasion to borrow it in Holland; and that if we were to buy up this value of produce with the money borrowed, and to lodge it in the hands of those gentlemen, it would be borrowing money to give

them the use of it for a number of years without interest, while we were paying interest for it ourselves.

One would think this project, if it could take, might be sufficiently profitable for these gentlemen; but in another paper, part French, part English, proposed for me to sign, it was to be stipulated that, after exchanging for the new promises all those transacted by Messrs. Fizeau and Grand to the amount of forty or fifty thousand guilders, which exchange was to be made without charge, “pour le reste de cet emprunt, il leur (Messrs. de Neufville et fils) sera alloué, outre les conditions d'intérêt, &c., contenues dans les termes y stipulés, un per cent. d'intérêt, savoir, dix per cent. une seule fois sur les sommes qu'ils négocieront; et *en outre* deux per cent. *encore*, y compris toutes les allouances ordinaires et extraordinaires, fraix à faire, et toute commission, sans qu'ils pourront jamais rien exiger de plus à ce sujet.”

Very gracious terms these! by which, after stopping a tenth part of the sum borrowed, they would be content with two per cent. upon the rest to defray charges. Besides this, I was led to understand that it would be very agreeable to these gentlemen, if, in acknowledgment of their zeal for our cause and great services in procuring this loan, they would be made by some law of Congress the general consignee of America, to receive and sell upon commission, by themselves and correspondents in the different ports and nations, all the produce of America that should be sent by our merchants to Europe. On my remarking the extravagance and impossibility of this proposition, it was modestly reduced to the following, wherein I am supposed to say and sign: “Je veux bien encore, pour les engager (Messrs. de Neufville et fils) à suivre avec le même zèle qu'ils y ont employé jusqu'ici pour les intérêts de l'Amérique, appuyer de mes recommandations leur sollicitations auprès du Congrès, pour qu'il leur soit accordé pour la suite le titre de *Commissioners for trade and navigation and treasurers of General Congress and every private State of the thirteen United States of North America, through the Seven United Provinces*; dont il leur sera alloué commissions régulières et usitées de commerce, paiement, et emprunt, tels que d'honnêtes négociants pourrout les passer sans en prétendre jamais d'autre appointement.

Donné à Passy, le, &c.

By this time I fancy your excellency is satisfied that I was wrong in supposing John de Neufville as much a Jew as any in Jerusalem, since Jacob was not content with any per cents, but took the whole of his brother Esau's birthright, and his posterity did the same by the Canaanites, and cut their throats into the bargain; which, in my conscience, I do not think Mr. John de Neufville has the least inclination to do by us while he can get anything by our being alive.

I am, with the greatest esteem, &c.,

B. FRANKLIN.

J. Adams to the President of Congress.\*

AMSTERDAM, *December* 14, 1781.

SIR: The first public body which has proposed a connexion with the United States is the quarter of Oostergo, in the province of Friesland. The proposition is in these words:

Every impartial patriot has a long time perceived that in the direction of affairs relative to this war with England there has been manifested an inconceivable lukewarmness and sloth; but they discover themselves still more at this moment by the little inclination which in general the regencies of the Belgic provinces testify to commence a treaty of commerce and friendship with the new Republic of the thirteen United States of North America, and to contract engagements, at least during the continuance of this common war, with the crowns of France and Spain. Nevertheless, the necessity of these measures appears clearly, since, according to our judgments, nothing was more natural nor more conformable to sound policy, founded upon the laws of nature the most precise, than that this Republic, immediately after the formal declaration of war by the English (not being yet able to do anything by military exploits, not being in a state of defence sufficiently respectable to dare at sea to oppose one fleet or squadron to our perfidious enemy), should have commenced by acknowledging by a public declaration the independence of North America.

This would have been from that time the greatest step to the humiliation of England and our own re-establishment, and by this measure the republic would have proved her firm resolution to act with vigor. Every one of our inhabitants—all Europe, who have their eyes fixed upon us—the whole world expected with just reason this measure from the republic. It is true that, before the formal declaration of war by England, one might perhaps have alleged some plausible reasons to justify in some degree the backwardness in this great and interesting affair. But as at present Great Britain is no longer our secret, but our declared enemy, which dissolves all the connexions between the two nations; and as it is the duty not only of all the regencies, but also of all the citizens of this republic, to reduce, by all imaginable annoyances, this enemy, so unjust to reason, and to force him, if possible, to conclude an honorable peace, why should we hesitate any longer to strike, by this measure so reasonable, the most sensible blow to the common enemy? Will not this delay occasion a suspicion that we prefer the interest of our enemy to that of our country? North America, so sensibly offended by the refusal of her offer, France and Spain, in the midst of a war supported with activity—must they not regard us as the secret friends and favorers of their and our common enemy? Have they not reason to conclude from it that our inaction ought to be less attributed to our weakness than to our affection for England? Will not this opinion destroy all confidence in our nation, heretofore so renowned in this respect? And our allies, at this time natural, must they not imagine that it is better to have in us declared enemies than pretended friends; and shall we not be involved in a ruinous war, which we might have rendered advantageous if it had been well directed?

While, on the other hand, it is evident that by a new connexion with the States of North America, by engagements at least during this war with France and Spain, we shall obtain not only the confidence of these formidable powers, instead of their distrust, but by this means we shall, moreover, place our colonies in safety against every insult; we shall have a well-grounded hope of recovering, with the aid of the allied powers, our lost possessions, if the English should make themselves masters of them, and our commerce, at present neglected and so shamefully pillaged, would resume a new vigor, considering that in such case, as it is manifestly proved by solid reasons, this republic would derive from this commerce the most signal advantages.

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 510.



But since our interest excites us forcibly to act in concert with the enemies of our enemy ; since the thirteen United States of North America invited us to it long ago ; since France appears inclined to concert her military operations with ours, although this power has infinitely less interest to ally itself with us, whose weakness manifests itself in so palpable a manner, than we are to form an alliance the most respectable in the universe, it is indubitably the duty of every regency to promote it with all its forces and with all the celerity imaginable.

To this effect we have thought it our duty to lay before your noble mightinesses, in the firm persuasion that the zeal of your noble mightinesses will be as earnest as ours to concur to the accomplishment of this point, which is for us of the greatest importance; that, consequently, your noble mightinesses will not delay to co-operate with us, that upon this important object there may be made to their high mightinesses a proposition so vigorous that it may have the desired success ; and that this affair, of an importance beyond all expression for our common country, may be resolved and decided by unanimous suffrages, and in preference to every particular interest.

M. Van der Capellan de Marsch was the first individual who ventured to propose in public a treaty with the United States, and the quarter of Oostergo the first public body. This, indeed, is but a part of one branch of the sovereignty. But these motions will be honored by posterity. The whole republic must follow. It is necessitated to it by a mechanism as certain as clock-work ; but its operations are and will be studiously and zealously slow. It will be a long time before the measure can be completed.

I have the honor to be, &c.,

JOHN ADAMS.

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Alexander to Franklin.\*

PARIS, *December* 15, 1781.

MY DEAR SIR: I told you the last time I had the pleasure of seeing you at Passy that I would make a trip to London, but had no notion it would be so soon. On coming to town last evening I found such pressing letters, that I propose setting off this evening, or to-morrow at latest. I would have called if possible to receive your commands, but as I am pinched in time I must content myself with sending for them. The bearer will call for them an hour after receiving this letter.

I shall probably be interrogated about the dispositions in this country to peace. My own idea is, that you seek only your independence, and that *this* country, were that secured, will be moderate in other matters, as the object of the war does not seem to be conquest. Let me know if this is proper language. I notice that a courtly argument has been used in Parliament for continuing the continental war, that withdrawing would make you insolent and give France exclusive advantages. Were it not proper that this were contradicted flatly ? Any commissions you may have will be taken care of, and I shall be back, barring accidents, in three weeks.

Wishing you everything that is good, I remain, with equal esteem and respect, dear sir, your most obedient, humble servant,

W. ALEXANDER.



## Franklin to Alexander.\*

PASSY, *December 15, 1781.*

DEAR SIR: I thank you for informing me of your intended journey. You know so well the prevailing sentiments here, and mine in particular, that it is unnecessary for me to express them, and having never been believed on that side of the water, it would be useless. I will say, however, that I think the language you mention very proper to be held, as it is the truth; though the truth may not always be proper.

Wishing you a good voyage and happy return to your children, I am, with great esteem, dear sir, yours, &c., &c.,

B. FRANKLIN.

## Franklin to Hartley.†

PASSY, *December 15, 1781.*

MY DEAR FRIEND: I received your favor of September 26th, containing your very judicious proposition of securing the spectators in the opera and play houses from the danger of fire. I communicated it where I thought it might be useful. You will see by the enclosed that the subject has been under consideration here. Your concern for the security of life, even the lives of your enemies, does honor to your heart and your humanity. But what are the lives of a few idle haunters of play houses compared with the many thousands of worthy men and honest, industrious families butchered and destroyed by this devilish war? O! that we could find some happy invention to stop the spreading of the flames, and put an end to so horrid a conflagration!

Adieu, I am ever, yours, most affectionately,

B. FRANKLIN.

## Jay to J. Adams.‡

MADRID, *December 15, 1781.*

SIR: The two last posts brought me your favors of the 26th and 28th ultimo. It really gives me great satisfaction at length to see a prospect of a regular correspondence between us. The failure of my former attempts had almost discouraged me, though from the frequent miscarriage of letters to and from me I had reason to impute your silence more to that than to any other cause. I have not received a syllable from Congress, nor from any of its members, by the vessel which brought you the instructions of the 16th August, but I by no means

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\*2 Sparks' Dip. Rev. Corr., 186; 7 Bigelow's Franklin, 333.

†2 Sparks' Dip. Rev. Corr., 186; 7 Bigelow's Franklin, 334.

‡7 J. Adams' Works, 495; 2 Corr. and Pub. Papers of John Jay, 164.

infer from thence that they did not write, for on more than one occasion I *know* that letters for me have been put into the post-office which never came to my hands, and I advise you never to write to me but under a persuasion that your letter will be inspected before I receive it.

As to the instructions, I had neither seen nor heard of them till the reception of your letter. They appear to me to be wise, and I shall be happy to see the object of them fully and speedily attained. As to the progress of my negotiations here, I can only inform you that the last offers of America were made so long ago as July last. The court has not as yet found it convenient to give me an answer. I could give you a particular history of delays, but it would be useless. I could also communicate to you my conjectures as to the real cause of them, but by the post it would be improper. In a word, it is not in my power to write anything of importance but what I ought not to write by such a conveyance, unless in cipher.

Delay is and has long been the system, and when it will cease can not be divined. Mr. Del Campo, the minister's first and confidential secretary, has been appointed near three months to confer with me, and yet this appointment was not announced to me till last week. I have not yet had a conference with him. He has been sick, and it seems is not yet sufficiently recovered to do business, &c., &c., &c.

It will not be necessary to send me copies of the commission and instructions you mention. The originals intended for me were brought by Major Franks in September last. I think it probable that duplicates for me accompany those you have received, and I am the more inclined to this opinion from having lately received a packet directed by Secretary Thomson, in which I found nothing but his cipher indorsed in his handwriting, but no letter or line from him or others. It was committed to the care of Mr. Barclay, consul in France. He sent it to me by the post, and on comparing the date of his letter to me from L'Orient with the time I received it, I find it was thirteen days on the way; it had evident marks of inspection.

I am very much of your opinion, and for the same reason, that peace is yet at a distance; and, therefore, that I can not soon expect to have the pleasure of seeing you, which I much desire for many reasons.

As to Gibraltar and Minorca, it is difficult to conjecture when or in what manner the operations against them will terminate; for my own part, I think their fate will remain in suspense for some time yet.

The Dutch certainly do not want spirit, and I ascribe their want of vigor more to the embarrassments they experience from the nature of their government and the Anglican connections of the ruling family than to any other cause. A national convention under the protection of France would, in my opinion, be the most effectual remedy for these evils.

General Greene's last action does great honor to him as well as to the American arms. This and the surrender of Lord Cornwallis

are most joyful and interesting events. I am anxious to know what influence they will have on the British counsels. If the alliance in agitation should promise to take effect and draw near to a conclusion, it would have much influence here and elsewhere. You shall have immediate advice of the first change that may happen in our affairs here.

My expectations are not very sanguine, but I confess to you that it would not surprise me if the various delays practised here should in the end prove more advantageous than injurious to our interests.

I have the honor to be, &c.,

JOHN JAY.

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Livingston to Franklin.\*

PHILADELPHIA, *December 16, 1781.*

DEAR SIR: Since my last, of which I send you a duplicate by this conveyance, nothing material has happened here, unless it be the evacuation of Wilmington, which is, perhaps, the most important post of communication with the disaffected people of the country of any they have ever held in America. The tories of North Carolina possessed a boldness and spirit which were not found elsewhere, and upon occasion appeared openly in arms. They are by these means abandoned to the enemy and the resentment of their country.

The cipher which I shall use with you is No. 4 of those sent by Mr. Morris; in that the duplicate is written which went unciphered by the Marquis de la Fayette.

I enclose a resolution of Congress for erecting a pillar to commemorate the victory at Yorktown. I must request your assistance in enabling me to carry it into effect, so far as it relates to me, by sending the sketch they require, with an estimate of the expense with which it will be attended. I could wish it to be such as may do honor to the nations whose union it designs to celebrate, and for that reason should think the execution ought to be deferred till our finances are in a better situation than they are at present; but as this lies with Congress only, you will be so obliging as to enable me to do my duty, by laying the sketch before them as soon as you can conveniently get the same executed.

I have also the honor to enclose an ordinance of Congress, which comprises all their former resolutions with respect to captures, with the addition of some others; among them one for "prohibiting the importation of British goods," unless such as may have been taken from the enemy. This will make some arrangements with the court of France necessary. The high duties upon prize goods consumed in France render them considerable articles of exportation, and unless some mode is fallen upon to evidence their having been captured, they will be

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 187, with verbal changes.

liable to seizure here. I would propose that the lieutenants of the admiralty or some other officers in the seaport towns should, to an inventory of the goods shipped, annex a certificate, under hand and seal, of their having been captured from the enemy, and that this should be done without any charge to the purchaser. You, sir, who are better acquainted with the interior of the Government of France than I can be supposed to be, will be pleased to suggest some mode of executing this business; or, if none better presents itself, to use means for carrying what I propose into effect. I send by this conveyance a number of American papers, and beg in return to be favored with those of France, or any new publication that may deserve attention.

I am, dear sir, with great respect and esteem, &c.,

ROBERT R. LIVINGSTON.

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ENCLOSED.

1. An ordinance, ascertaining what captures on the waters shall be lawful.
2. Resolve, directing the secretary of foreign affairs to prepare a sketch of emblems, &c.
3. Resolves for raising eight millions of dollars, and the appropriations of each State.
4. Recommendations to the several States for enacting laws against the infraction of the laws of nations.
5. Letter to Messrs. Wallace, Johnson, and Muir, at Nantes.

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Franklin to Adams.\*

PASSY, *December 17, 1781.*

SIR: I have received the packet containing the correspondence relating to the goods. I suppose that Mr. Barclay is there before this time and the affair in a way of accommodation. Young Mr. Neufville is here; but I have thought it best not to give him as yet any hopes of my paying the bills unless the goods are delivered. I shall write fully by next post. This serves chiefly to acquaint you that I will endeavor to pay the bills that have been presented to you drawn on Mr. Laurens. But you terrify me by acquainting me that there are yet a great number behind. It is hard that I never had any information sent me of the sums drawn or a line of order to pay, nor a syllable of approbation for having paid any of the bills drawn on Mr. Laurens, Mr. Jay, or yourself. As yet I do not see that I can go any farther, and, therefore, can engage for no more than you have mentioned.

With great esteem I have the honor to be, sir, your excellency's most  
O. H. S.

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\* MSS. Dep. of State.

## J. Adams to the President of Congress.\*

AMSTERDAM, *December* 18, 1781.

SIR: Having received an invitation to the Hague in order to have some conversation with some gentlemen in the government concerning the further steps proper for me to take in the present conjuncture, I had determined to have undertaken the journey to-day, but the arrival in town of the Duc de la Vauguyon determined me to postpone it until to-morrow.

At noon to-day his excellency did me the honor of a visit, and a long conversation upon the state of affairs, at my house. He informed me that, upon the communication I had made to him when he was here last in person and afterwards by letter, of my new commission and instructions, he had written to the Count de Vergennes; had explained to that minister his own sentiments, and expected an answer. His own idea is that I should go to the Hague in some week when there is a president whose sentiments and disposition are favorable and demand an answer to my former proposition, and afterwards that I should go round to the cities of Holland and apply to the several regencies.

He thinks that I may now assume a higher tone, which the late *Cornwallization* will well warrant. I shall, however, take care not to advance too fast, so as to be unable to retreat. His advice is to go to the Hague to-morrow and meet the gentlemen who wish to see me there; and this I shall do.

I have been very happy hitherto in preserving an entire good understanding with this minister, and nothing shall ever be wanting on my part to deserve his confidence and esteem.

I have transmitted by two opportunities, one by Captain Trowbridge from hence, another by Dr. Dexter by the way of France, despatches from Mr. Dana at Petersburg, by which Congress will perceive that material advantages will arise from that gentleman's residence in that place, whether he soon communicates his mission to that court or not.

The English papers which I forward by this opportunity will inform Congress of the state of things and parties in England. The ministry talk of a new system. Perhaps they may attempt Rhode Island once more in exchange for Charleston, and try their skill in intercepting our trade.

I have the honor to be, &c.,

JOHN ADAMS.

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 513, with verbal changes; 7 J. Adams' Works, 497.

Morris to the Governors of North Carolina, South Carolina, and Georgia.\*

OFFICE OF FINANCE, *December 19, 1781.*

SIR: In my circular letter on that subject I have already had the honor to transmit the requisitions of Congress, contained in their acts of the 30th of October and 2d of November last, by which the quota of your State for the year 1782 is ——— dollars, payable in quarterly payments, commencing the 1st day of April next.

The distresses which your State has lately suffered will not, I fear, permit the collection of this quota in hard money, although the subsistence of the army will naturally call for an expenditure to a great amount in such articles as the State can furnish. The mode hitherto pursued of granting receipts and certificates by every one empowered or employed to impress or purchase can not but be attended with much confusion and difficulty, if not with oppression and fraud. It is the duty of those who are entrusted with the management of the public affairs to prevent as much as possible these evils, and as much as possible to equalise and diminish those burdens which the people must bear. It would give me great pleasure to be put in such a situation as that I might at once contract for the supplies of the southern army; but I have not specie for the purpose, nor do I find that taxes are yet laid in the southern States to procure it. Wherefore I must wait yet some time until the public treasury is replenished, until the hard money now in America gets somewhat more diffused, and until I have a prospect of receiving back from those States in hard money their quota of the public taxes.

In this situation of things I have devised and proposed to the delegates of the three southern States the following plan: To appoint a receiver of the taxes in each State, agreeably to the act of Congress, and to empower such receiver to issue notes on the warrants of the General, payable in those taxes, or from the amount of them when collected. By which means those articles necessary for the consumption of the army may be purchased, and the quota of the State be thereby paid.

The delegates of North and South Carolina thought the plan eligible, but one of the delegates of Georgia was disinclined to that part of it which requires the previous passing of a law to raise the quota of taxes called for by the United States. I am this morning informed that, upon a reconsideration of the matter, a majority of the delegates of South Carolina are also of opinion that it would be better not to make the enacting such a law an indispensable part of the system. I am very sorry for this circumstance, because, as all the delegates from the three States mentioned approve of the plan in other respects, I did expect their warm recommendation of it to their respective legislatures, for your excellency will perceive at a single glance that it originated in

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\* 6 Sparks' Dip. Rev. Corr., 404.



the sincere desire of relieving those States, and has that relief for its object as far as the public service of the United States will possibly permit.

Those gentlemen who object to making a tax bill the preliminary to any issues of the notes have proposed, as an expedient, a law promising the payment of the notes when taxation shall become practicable, compelling the receipt of them in payment as specie, and limiting the prices of those articles which the army may want. This is done to obviate two objections which are supposed to be against taxation—that the state of the country will not admit of the collection, and that those who have no property left but lands can not pay the taxes without extreme distress.

Before I go into any detailed observations on these subjects I beg leave to state one general reason why I must insist on the tax law, even if in other respects I should have no material objections to the expedient proposed. As superintendent of the finances of the United States, it is my duty to urge a compliance with the requisitions of Congress, and therefore to facilitate that compliance; but I should betray the trust reposed in me if by any expedient whatever I assisted in eluding those requisitions. With me, therefore, the propriety of passing the tax bill can admit of no question; and, in consequence, my orders are precise to prevent the issue of a single note until such bills shall have been enacted and effectual provision made for the collection.

I shall now take the liberty of trespassing on your patience with some observations as to the two laws proposed. And, first, as to the expediency of taxing and the weight of the objections against it. When it is considered that the expenditures of the army (supposing the war to be carried on in the southern States) must greatly exceed the amount of the sums called for from those States, one position is clear, that by complying with the requisitions of Congress a balance of money must necessarily be brought in from the other States to supply the deficiency of the whole revenue in those particular States, when compared with the amount of the whole expenditure. But by neglecting to comply with the requisitions of Congress (as it will be impossible to supply the army in the same regular manner which prevails elsewhere), the whole cost of the expenditure will fall in the first instance on those who are near the seat of war, subject to a future settlement of accounts. Besides which, it is demonstrable that this latter mode of supply, which is at present practised, is very wasteful and expensive. Nor is this the only objection, though certainly a very strong one. We must further consider that, according to the present mode of taking supplies, the burden falls very unequally on the inhabitants, and, of course, very unjustly. I fear that with truth it may be added that, in some instances, it is attended with strong circumstances of distress.

Hence, then, I conclude that the propriety of taxation is evident, un-

less the reasons against it are of weight sufficient to counterbalance the inconveniences which would result from neglecting it. I proceed, therefore to examine them. And, first, as to the state of the country and the means of collection. It is clear that within the enemy's lines taxes can not be collected; but out of them they certainly may be. For surely it is as easy to compel a man to pay money by seizing his property as it is to seize that property for the subsistence of the troops. There is, however, this additional advantage in taxing, that those may be compelled to pay who have not articles useful for the army as well as those who have. The objection that those who have land only will be distressed by the sale of it will have just as much weight as the legislature may choose to give it; for if no taxes are raised on land the objection will vanish, and certainly the legislature will be in capacity to determine whether any tax should be laid on it and what that tax should be.

But, further, it appears that the objection is calculated to favor the rich, who are great land holders, in preference to the poor, who labor on a small plantation; and how far this may be either wise or just is not for me to determine. I will, however, suggest an expedient, that, as the taxes are payable quarterly, the first two quarters' tax should be raised on the polls, the slaves, and other personal property in the State, and the land tax be paid on the last quarterly installments. This will give the several land holders room to turn themselves so as to provide for their several appropriations in season. I will just add under this head, that if (as there is some reason to hope) the southern States should be totally evacuated, the extension of their commerce will soon obviate every objection which can possibly be in the way of taxation.

I must observe, further, that those States which delay the levying of taxes to answer present requisitions will become totally incapable of complying with future calls, and consequently we shall always be dealing in doubts and uncertainties, instead of establishing that confidence and vigor which alone can perfect our independence.

I come now to the proposed law for compelling the receipt of the notes and regulating the prices of articles. My opinion of all such laws is decidedly fixed. I know both from reason and experience that they injure the credit of the paper they appear designed to support. They show doubts in the mind of the legislature, they communicate those doubts to the breasts of the people, the credit of the paper is then destroyed before it is issued, and all the after operation of the law is one continued scene of fraud and iniquity. If, therefore, such tax bill shall be passed as will permit issuing the notes in question, I entreat that on no representation, nor for any cause whatever, any law be passed making the notes a tender, valuing the price of goods, or anything of that sort. I ask for no embargo, no regulations. On the contrary, I wish and pray that the whole detestable tribe of restrictions

may be done away, and the people be put in possession of that freedom for which they are contending. I have no system of finance except that which results from the plain self-evident dictates of moral honesty. Taxation and economy are the two pillars by which that system is supported, and if the several States will provide the former, I will pledge myself for the latter as far as my abilities will permit.

To return then, sir, to the plan I have to propose. It is simply this: I expect that the legislature of your State will immediately pass laws to collect by the days named the sums called for from them for the service of the year 1782. To facilitate the collection and payment of the taxes I consent to receive the notes signed by the receiver of the continental taxes for your State. If, therefore, the legislature approve of my plan, they will merely add a clause rendering those notes receivable by their collectors as specie in the continental taxes. They will, I doubt not, provide the ways and means by which the receiver shall compel the several collectors to pay over whatever sums, either of those notes or of hard money, they may have received. This will leave it purely optional with the people to take the notes or to let them alone. If the taxes are collected, they must either pay those notes or hard money. If they pay hard money, the notes will not be necessary. If they pay the notes, the public will already have received the value of them in the articles for which they are first paid.

I enclose the form of the notes and the denominations, and I will appoint the receiver of the continental taxes for your State as soon as I can fix on a proper person and prepare the necessary instructions. In the mean time the law may easily be passed with a clause directing the mode in which the appointment of such receiver shall be announced to the public.

I have the honor to be, &c.,

ROBERT MORRIS.

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J. Adams to Vauguyon.\*

THE HAGUE, *December 19, 1781.*

SIR: It has been insinuated to me that the Spanish ambassador here has instructions from his court to enter into a negotiation with their high mightinesses concerning an alliance between Spain and the republic. If this fact has come to your excellency's knowledge, and there is no inconvenience nor impropriety in communicating it to me, I should be very much obliged to you for the information; not from curiosity merely, but for my government in the steps I may have to take.

By my late instructions, of which your excellency has a copy, I am to inform myself concerning the progress of American negotiations at the court of Spain, and if an alliance shall have been entered into be-

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\* 3 Sparks' Dip. Rev. Corr., 514; 7 J. Adams' Works, 498.

tween his Catholic majesty and the United States, to invite his Catholic majesty into the alliance proposed between France, their high mightinesses, and the Congress. If no such alliance shall have been formed, to receive his Catholic majesty should he manifest a disposition to become a party, &c.

Congress have wisely enjoined it upon me to confer in the most confidential manner with your excellency, and I have made it a law to myself to take no material step in this negotiation without your approbation; but my instructions seem to make it necessary to take some measures at least to sound the disposition of the Spanish ambassador. I would, therefore, beg leave to propose to your consideration and to request your opinion whether you think it advisable for me to do myself the honor of making a visit to the Spanish ambassador, and communicating to him the substance of my instructions as far as it relates to the court of Madrid; or whether it would be better to communicate it by letter; or whether your excellency will be so good as to take upon yourself this communication and inform me of the result of it?

I am advised here to wait on the president of their high mightinesses as soon as possible, and demand a categorical answer to my former proposition, and then to wait on the grand pensionary and Mr. Secretary Fagel, and in turn, upon the pensionaries of all the cities of Holland, to inform them of the demand made to the president. But I submit to your consideration whether it will not be expedient to communicate the project of a triple or quadruple alliance to some confidential members of the States—as to the pensionary of Dort, Haerlem, and Amsterdam, for example, with permission to them to communicate it, where they shall think it necessary, in order to give more weight to my demand?

The court of Great Britain are manifestly availing themselves of the mediation of Russia in order to amuse this republic and restrain it from exerting itself in the war and forming connections with the other belligerent powers without intending to make peace with her upon any conditions which would not be ruinous to her. It is, therefore, of the last importance to Holland, as well as of much consequence to the other belligerent powers, to draw her out of the snare, which one should think might be now easily done by a proposition of a triple or quadruple alliance.

To-morrow morning at ten I propose to do myself the honor of waiting on your excellency, if that hour is agreeable, in order to avail myself more particularly of your sentiments upon these points.

In the mean time, I have the honor to be, &c.,

JOHN ADAMS.

## Carmichael to Livingston.\*

No. 1.

MADRID, *December 20, 1781.*

SIR: Since my letter of the 17th ultimo to the committee of foreign affairs, I have had the pleasure to hear of your appointment to the office of secretary for that department, and although I have not had any official directions respecting my future correspondence, in consequence of this change, I take the liberty of addressing you, as I have hitherto done the committee, on the subject of our affairs here, their situation, and that of the powers with whom we have, or may hereafter have, connexions. At the same time permit me to entreat you, sir, to inform me, whether it is judged necessary that I should continue this correspondence, having done it hitherto with a view to multiply the channels of information to Congress, and not from an expectation of conveying any material intelligence, which they will not ultimately receive in a fuller manner from Mr. Jay and their other ministers; to the former of whom I communicate instantly every information I can procure here, or by my foreign correspondence. I have been induced to continue this correspondence from another motive, which is, that I find that others employed as secretaries here are directed by their respective courts to write either to the minister for foreign affairs, or the particular secretary of their sovereigns. The only letter which I have had the honor to receive from Mr. Lovell since I have been in this country, approved of my endeavors to communicate early and regular information; but if it is expected I should do it effectually, I hope a cipher will be sent me by the first safe conveyance, under cover to Mr. Harrison at Cadiz, or to our consul in France, with directions to those gentlemen to forward the letter enclosing it, by a sure hand, to escape the inspection of the post-offices in France and Spain, the dread of which often retards my letters, which I am now obliged to send to the seaports, by private persons, or the couriers of the French ambassador. Once possessed of a cipher, I flatter myself that few vessels will sail from France or this country without letters from me, which, although often not interesting may yet in some degree contribute to the satisfaction of Congress.

Our affairs are in much the same situation they were when I had the honor to forward the letter above mentioned to the committee. M. Del Campo's sickness, of which he is but just recovered, is the occasion or pretext for this delay. His appointment, however, has been finally announced to Mr. Jay by the minister, and was made at the time mentioned in my former letters. It is probable that little will be done in this business until the court goes to the Pardo the 7th of next month. A principle of delicacy, perhaps, prevents it from seeming at present to

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 69, with verbal changes and omissions,



precipitate its conduct, in consequence of the favorable aspect of our affairs, since the news of the capture of Lord Cornwallis, and the victory obtained by General Greene in South Carolina. But the delay attending the transaction of the smallest affair in this country is a sufficient reason to account for the difficulties Mr. Jay encounters at present, without surmising other motives. On this subject I speak from the experience of almost all the *corps diplomatique*, as well as from the authority of individuals who have much business with the various branches of administration.

The news above mentioned was received apparently with great pleasure by the King and Prince of Asturias, as I was informed the same day by several of their officers in waiting. The public at large was highly satisfied, and has spoken more favorably since of our allies than it has done from the commencement of the war. The foreign ministers were not all so well pleased with this event, particularly those of Germany, Russia, and Denmark. However, in general, they regard it as a blow which decides the independence of the States. The new minister of Sweden is open in declaring his partiality for our cause, and signified that he would have waited on Mr. Jay on his arrival here, as it is the custom of those last come to do, if no other minister had arrived here since Mr. Jay's residence who had not done it. His conduct to myself shows that this was not a mere compliment, for he has invited me several times to dine with him, and visited me. He is a particular friend, I believe, of M. Marbois, for he speaks highly of him, as indeed all do, whom I have conversed with, that have the pleasure of his acquaintance.

The Imperial and Swedish ministers declare that their respective sovereigns will reclaim all vessels under their colors, going to or returning from America, which comply with the articles of the armed neutrality; and it has been hinted to me that it was not difficult to obtain letters of naturalization for the crews of American vessels, provided the nominal officers are subjects of either country. The court has at length consented to repay the money advanced in April last by the Marquis de Aranda, but has not enabled Mr. Jay to pay the bills due this month, and, as Dr. Franklin has not authorized him to draw, M. Cabarrus, as I expected in my last, has consented to advance the sum sufficient for this purpose, amounting to thirty-two thousand dollars. Perhaps Dr. Franklin may soon enable Mr. Jay to repay him.

Thirty thousand pounds sterling would pay all our debts here, which distress us more than the apprehension of not receiving our salaries, of which, though liberal, we have constant need, owing to the dearness of everything in this country, and the great expense incurred by the frequent change of residence of the court, which circumstance obliges us to take lodges at the royal residences, and which expense the frequent journeys that we are constrained to make on account of our other business in Madrid greatly augment. I should not touch on this sub-



ject if Dr. Franklin had not desired me to mention to Congress our personal difficulties and distresses, for I believe, with all the desire he has to serve us, he procures with difficulty sufficient funds for the payment of our salaries.

The expeditions mentioned in my former letters are now both probably at sea; that from France sailed the 10th instant, and I know of a certainty that orders have been sent to Cadiz to hasten the departure of the ships and troops at that post. The French ships there, mentioned in my last, take on board a million of dollars, and M. de Bussy, who formerly signalized himself in the East Indies, has gone thither incognito by land, accompanied by several officers who have but lately returned from the east. It is therefore highly probable that these vessels, joined by others, go thither, and will take under their escort a part of the troops embarked at Brest.

No great progress is made in the sieges of Gibraltar and Mahon; on the 27th ultimo the enemy made a sally from the former place, in which they did more damage than has been published here, having completely ruined the advanced works of the besiegers, the repair of which will require some time and much money. At Mahon the rainy season has retarded the operations of the assailants. I am just told the Duc de Crillon demands a reinforcement of two thousand men, which will be granted to him. The enemy receive small succors from time to time by sea. The court is about to negotiate another loan, in which, if it does not succeed, perhaps it must have recourse to another emission of paper. The treasury is at a low ebb. The minister of Marine demanded lately ten millions of reals, and received but three. The credit of the paper has lately risen; it is now negotiated at one and a half per cent. loss.

A plan for a national bank is at present before the council. The projector, M. Cabarrus, proposes to form a capital of fifteen millions of dollars, of which he offers to procure six millions, each action to amount to two thousand reals, for which the proprietors receive a certain interest of four per cent., with the profits expected from this establishment. I have seen the plan, but had not permission to copy it, so that I can give but a faint sketch of it. Eight directors are to be chosen the first year and six annually, by the assembly of the proprietors; two of these directors are to be perpetual, because it is proposed that they should have the direction of the supplies for the army and navy, with an interest of ten per cent. to the emolument of the bank; these two directors are to be named by the court out of four chosen by the proprietors; in other respects the court to have no influence. If this plan, which was originally a part of the scheme for the circulation of paper here, should succeed, the paper which will be discounted by it will probably preserve its credit. The Gromios, companies possessed of exclusive privileges, will be annihilated, and much money now dormant in the coffers of individuals be called into circulation. The Gromios

pay two and a half per cent. interest, and the bank four, which difference, joined to the hopes of farther profits, will tempt the money holders to withdraw their funds from the hands of the first and place them in the latter. But these companies and their friends oppose it strongly, as do also the persons concerned in supplying the army and navy, with whom it is said people in various departments of the government have interested connexions.

The courts of France and Spain seem determined to continue the war with vigor; and you will see by the King of Great Britain's speech that he is not disposed to accommodation. The Empress of Russia still continues her endeavors to bring about a peace between England and Holland, to which the British ministry has lately appeared to listen, although in a haughty manner. I am told the republican party is more exasperated than ever by their answer to Russia, which is published. But your information will be much more accurate from Mr. Adams than any that I can procure. My correspondents from France write me that the nation is much elated by the late triumph of the allied arms. This success and the flourishing state of their commerce reconcile them to the war, the continuance of which their ambassador here regards as inevitable.

The resolution of Congress prohibiting all intercourse between the citizens of America and the subjects of Great Britain gives a secret satisfaction both in France and this country, and augments the jealousy of others, that the influence of France will exclude at the peace all amicable connections between the States and Great Britain; at least, this is the language of several of the foreign ministers and their families. The Imperial ambassador has lately made strong representations on account of an ordinance, rigorously executed of late in the ports, obliging all captains of vessels to make, on oath, declarations of the contents of all packages, &c., &c., on board their vessels. He has endeavored to make this a common cause. The commerce murmurs against this and other regulations lately enforced. It must be confessed that Spain seems desirous to discourage all commerce carried on by foreigners, and bears as hard on their allies as on the neutral nations. Whenever a peace takes place France will be constrained to make a new convention on this subject. At present this court feels its importance, and the cabinet of Versailles has points of a nature so much more interesting to carry, that it takes little notice of the breach of conventions actually subsisting. By a late ordinance of the minister of finance a duty of twenty-five per cent. was imposed upon all produce brought in American vessels from the Havana. Mr. Jay has made representations on this subject which I hope will be attended to. M. Galvez appeared well disposed to withdraw them. It appears also to be the intention of the present minister to diminish the consumption of salt fish, to pave the way, as their friends give out, for its total exclusion at the peace, unless cured and imported by natives; for this

purpose they have obtained bills of indulgence from the Pope, permitting the use of meat during Lent, and on other days on which it was prohibited. The price of these indulgences is proportioned to the rank of the purchaser. It is calculated that the sale of them in the Spanish dominions will produce two millions of dollars annually, so that a double advantage is derived from this operation—the extraction of money for fish is prevented, and the revenue considerably augmented.

The present ministry seem firmly established in their respective posts. The Count de Florida Blanca's health does not permit him to give constant application to business, but is not of so dangerous a nature as to cause any apprehension. The ministers of the Indies and marine keep their ground in the king's favor, although they have many enemies. If the disturbances in America should increase, the credit of the first may be weakened. The latter, although disliked by his colleagues and disapproved by France, preserves the sovereign's good graces. He has one merit, which is his constant attention to the safety of the Spanish fleet; a merit that may fix him in his place, but which renders him odious to the nation and its allies, who wish to see it more actively employed.

I am afraid these particulars may appear trivial to Congress, to whom I should be happy to make more important communications. These are not to be obtained but by the dint of money or by a long residence and intimacy with persons in the various departments of government. The first we have not for the most pressing exigencies, and the latter our at present doubtful situation at this court precludes us from in some degree; although neither attentions nor endeavors have been omitted to make useful acquaintances.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

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Livingston to Carmichael.\*

PHILADELPHIA, *December* 20, 1781.

DEAR SIR: Your letters of the 16th of August and 5th of October came to hand. They were read in Congress and handed over to this office, which will in future, agreeably to its institution, receive and make all communications to and from Congress, conformable to their ordinance, of which I enclose a copy, having omitted it in my letters to Mr. Jay. The importance of early and regular intelligence from Europe is so much felt here, that you have full credit for all the communications you make. I wish you would extend them so far as to permit no vessel to sail without letters and papers. Spanish gazettes may sometimes be serviceable to us.

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 67.

The expedition of the Duc de Crillon is important in many views. Should it succeed, it will be such a blow to the British as must hasten a negotiation, though it may probably obstruct a peace; at any rate, the possession of the island must cut the sinews of their Mediterranean trade. Your apprehensions about being sent to Corunna will, I hope, have been groundless, as Captain Gillon's ship is not the property of or under the direction of the United States. So far as Mr. Jay's good offices can be serviceable they undoubtedly will be extended. He will not think himself obliged to involve the United States in the expense or disgrace of Captain Gillon's misconduct, if, as is alleged, he has really behaved improperly. Should he determine to interfere, Congress make no doubt but you will conform to his intentions; and they rely upon your zeal and activity in the discharge of such trusts as he may think proper, since he alone can judge of the best application of them, and will not deprive himself of the advantages which your assistance and information may afford without being determined by weighty and important considerations.

It gives great pleasure here to hear of the step that Spain is taking for opening a treaty with us. The delays in that business begin to be resented by the people of this country the more forcibly, as they felt a high degree of respect for the court and much attachment to the people of Spain in return for the good offices that they had done them. The great cause of the delay being now (as we hear) removed, I doubt not that the candor of the negotiators and the clear views that they both have of the interest which Spain and America may mutually derive from an intimate union will remove all other difficulties to the wished-for connection.

We have no other news on this side the water than that the enemy have evacuated Wilmington. You, who know the spirit of disaffection which prevailed in some parts of North Carolina, and the commerce which it is capable of carrying on, particularly at this time, in articles for the supply of the West India markets, will see the important sacrifice the enemy have been obliged to make in thus quitting this post and abandoning the only friends in America upon whose fidelity and attachment they could rely.

I need not repeat to you that I shall at all times think myself happy in hearing from you, independent of the advantage that the public may derive from your letters. They will be particularly agreeable to me, as they may be made the means of increasing the number of friends which your zeal and attention has already procured you.

I am, sir, with great esteem, &c.,

ROBERT R. LIVINGSTON.

**H. Laurens to the President of Congress.\***TOWER OF LONDON, *December 20, 1781.*

**SIR:** Almost fifteen months I have been closely confined and inhumanly treated, and even now I have not a prospect of relief. The treaty for exchange is abortive. There has been languor, and there is neglect somewhere. If I merit your attention you will no longer delay the only speedy and efficacious means for my deliverance. Enter this, if you please, and what it may produce, on your secret journal, and pardon the omission of ceremony.

I am, full of love and respect for you,

HENRY LAURENS.

P. S.—A friend will trace the direction in ink.

**Vauguyon to Adams.†**

[Translation.]

THE HAGUE, *December 20, 1781.*

**SIR:** I have received the letter you did me the honor to address me. I shall be impatient to converse with you on the subject to which it relates, and shall expect to see you at ten o'clock to-morrow morning, as you desire.

Receive, sir, my renewed assurances of the profound respect with which I have the honor to be, &c.,

DE LA VAUGUYON.

**Livingston to Luzerne.‡**

OFFICE OF FOREIGN AFFAIRS,

*December 21, 1781.*

**SIR:** I do myself the honor to enclose an extract of my letter to Dr. Franklin on the subject of the late ordinance of Congress relative to captures. Though in it I suggest a mode by which the identity of goods captured and shipped may be authenticated, yet I have not thought it prudent to give it the preference to any other which Dr. Franklin, upon communicating with the minister, may think more proper. I have only to request that you will by your representations second his, and urge the court of France to adopt the regulation above suggested, or any other that will best guard against this illicit commerce on the one hand, or the injury of innocent dealers on the other.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

\* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 715.

† 3 Sparks' Dip. Rev. Corr., 516.

‡ MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 39.

Carmichael to Livingston.\*

No. 2.

MADRID, *December 24, 1781.*

SIR: Yesterday Mr. Jay had an audience of his excellency the Count de Florida Blanca, in which that minister in the most express terms assured him he might depend on receiving three millions of reals to pay such bills as he had already accepted. This sum, with near eighteen thousand dollars received already, and twenty-five thousand promised by the court of France, will fully answer this purpose, and I still hope ways and means will be found to furnish funds for the bills which have not yet been presented, and which for some weeks come to hand slowly. The minister also promised his good offices with the court of Portugal, and informed Mr. Jay that previous to his application he had endeavored to induce the ministry of that nation to conduct itself with respect to the States in a manner more agreeable to the rights of humanity and the law of nations, founded on those rights, but that the party in favor of Great Britain preponderated hitherto.

I have had opportunities of speaking several times on this subject to the secretary of the embassy of Portugal here, and once to the ambassador. Each seemed sensible of the injustice of the first step of the court, and owned it more easy to do an injury than to repair it. If the Congress should be in a situation to make strong representations to that court, with a recapitulation of the conduct of the States during the whole war in respect to Portugal, they may be possibly attended with success, particularly if they should succeed to the armed neutrality, to which they are strongly pressed by Russia at present. The minister also engaged to do justice to certain Americans who carried a British privateer to the Canaries; and, in short, seemed exceedingly well disposed to render the States every service in his power. I can not forbear, however, mentioning to the committee that he spoke with much chagrin of the adherence of the Congress to points which, in his opinion, rendered a treaty impracticable for the present, and although pressed on that subject by Mr. Jay, I doubt whether he will give his sentiments thereon in writing. He also seemed exceedingly apprehensive of the efficacy of the means employed by Sir H. Clinton to sow jealousy and discord among the States, and even in Congress, and said that the letters lately received by the British court from the officer above mentioned gave great hopes of success in this particular. In fine, he assured Mr. Jay that considerable sums of money would be employed for this purpose, and as I am convinced this court received its information from a person equally employed by that of London, I fear it will be difficult to remove these suspicions until time shows how ill-founded they are.

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 74, with verbal changes and omissions.



In the mean time unanimity and vigor in America are the best arms of the States there and their best arguments in Europe, to which if much complaisance to the Spanish King and nation is added, even in objects not essential, the Congress will enable their servants to defeat the designs of the British emissary and their party here so long as the present king lives. According to present appearances the war is likely to continue. Although I have already written you particularly on the subject, I now repeat that the court is in the way of negotiating its loans for the expenses of the ensuing year, and that it expects some treasure from America. At Cadiz they have twenty-nine sail of the line ready for sea. The blockade of Gibraltar is continued with tolerable success hitherto. The Count d'Estaing was not arrived in France by the last advices. This delay will retard the operations intended for our succor.

The death of the empress queen will probably kindle the flame of war in Europe, though perhaps not in the ensuing year. I am told from good authority the emperor is favorably disposed to England. His ambassador and Mr. Cumberland are very intimate and see each other every day. The residence here of the latter is extraordinary in the present situation of the two nations, and can only be accounted for on the principles I had the honor to mention in former letters. If I may be allowed to conjecture, I think Holland will be sooner or later involved in war, and that orders have been already given by the court of England to attack their possessions in the East Indies. This, however, is but a conjecture, although grounded on some share of political evidence.

The British Parliament is prorogued to the 23d of January. Their grand fleet is at sea. Mr. Trumbull has been arrested in England and several Americans obliged to fly and abscond, among whom there is one of my correspondents. I have received advice that several were included in the number to be arrested whom it was not the intention of government to seize in order to give them an opportunity of returning to America with more *éclat*, to be in a situation of rendering greater services to Great Britain. I hope this advice is without foundation, but having received it, I think it my duty to communicate it, because circumspection can do us no material injury. M. Gardoqui will scarcely take his departure until all negotiations are at an end and the campaign shall have commenced.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

P. S.—Sir J. Yorke has presented another memorial to the States more insolent than the former. The armed neutrality propose to have forty sail of the line next spring in the ports of Holland.

W. C.

## J. Adams to the President of Congress.\*

AMSTERDAM, *December 25, 1781.*

SIR: On the 8th of September Lord Stormont delivered to the Baron de Noleken, envoy of Sweden, the following notification of the refusal of the mediation of the court of Stockholm and the acceptation of that of Russia.

The conservation of the public tranquillity has been the first object of the care of his majesty during the whole course of his reign. The commencement of this reign has been signalized by the return of peace. The king has made great sacrifices to procure this blessing to humanity, and he had reason to flatter himself that, by this moderation in the midst of victory, he was establishing the public tranquillity upon solid and durable foundations; but these hopes have been disappointed, and these foundations have been shaken by the ambitious policy of the court of Versailles. This court, after having secretly fomented the rebellion enkindled in America, has leagued herself openly with the rebel subjects of his majesty; and by this violation of the public faith, by this direct act of hostility, she began the war.

The conduct of the republic of Holland during the whole course of this war has excited a general indignation. This nation presents itself under an aspect very different from that of a nation simply commercial. It is a respectable power, connected for a long time with Great Britain by the strictest alliance. The principal object of this alliance was their common safety, and especially their mutual protection against the ambitious designs of a dangerous neighbor, which their united efforts have so often defeated, to their mutual prosperity and that of all Europe.

The desertion of all the principles of this alliance, which the king on his part had constantly maintained; an obstinate refusal to fulfil the most sacred engagements; a daily infraction of the most sacred treaties; succors furnished to those very enemies against whom the king had a right to demand succor; an asylum and protection granted in the ports of Holland to American pirates, in direct violation of stipulations the most clear and the most precise; and, to fill up the measure, a denial of satisfaction and of justice for the affront committed to the dignity of the king by a clandestine league with his rebel subjects—all these accumulated grievances have not left to the king any other part to take than that which he has taken with the most sensible reluctance. In laying before the public the reasons which have rendered this rupture inevitable, his majesty attributed the conduct of the republic to its true cause, the fatal influence of a faction, which sacrificed the national interest to private views; but the king has marked, at the same time, the most sincere desire to draw back the republic to a system of strict union, of efficacious alliance, and of mutual protection, which has so much contributed to the prosperity and the glory of the two states.

When the Empress of all the Russias offered her good offices to effectuate a reconciliation by a separate peace, the king signifying his just gratitude for this new proof of a friendship, which is so precious to him, avoided to involve the mediation of her Imperial majesty in a fruitless negotiation; but at present, as there are certain indications of an alteration of disposition in the republic, some marks of a desire to return to those principles which the wisest part of the Batavian nation has never forsaken, a negotiation for a separate peace between the king and their high mightinesses may be opened with some hopes of success under the mediation of the Empress of all the Russias, who was the first to offer her good offices for this salutary work. If his majesty did not at first take advantage of it, it was because he had every reason to believe that the republic at that time sought only to amuse by an insidious negotiation; but the king would think that he answered ill the sentiments which dictated

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 519.

those first offers, and that he was wanting to those regards so justly due to her Imperial majesty and to the confidence which she inspires, if he associated in this mediation any other, even that of an ally most respectable, and for whom the king has the sincerest friendship.

I have the honor to be, &c.

JOHN ADAMS.

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J. Adams to the President of Congress.\*

AMSTERDAM, *December 25, 1781.*

SIR: There has appeared an ulterior declaration, in addition to the ordinances of the 30th of April and the 3d of November, concerning the navigation and the maritime commerce of the subjects of Prussia during the present war.

The ordinances which the king has caused to be published of the 30th of April and 3d of November of this year have, in truth, already perscribed to the subjects of his majesty the manner in which they ought for their greatest safety to direct their navigation and their commerce; nevertheless, as several doubts have arisen in this regard, his majesty, in order to obviate them, and to direct his subjects who trade by sea, has thought fit to establish, ordain, and declare as follows:

ARTICLE I. It can not be doubted, and it is understood that the Prussian vessels which have put to sea before the publication of the ordinance of the third of November, and which, by consequence, could not be furnished with passports expedited by the minister of foreign affairs, which are therein prescribed, can not be taken or molested by reason of the want of such passports, but that the passports heretofore in use, which they have taken at their departure, ought to have until their return their force and value, and to procure them until that time a sufficient security. To remove, however, still more effectually all difficulties which might exist in this regard, the obligation to furnish themselves with immediate passports from Berlin is not to commence until after the first of January, 1782, to the end that every one may have time to take his measures in consequence.

ARTICLE II. It is repeated and ordained that small vessels which do not carry more than fifty lasts, as well as those which navigate only in the Baltic Sea and in the North Sea, and which do not pass the channel which separates France and England, are not obliged, at least if they do not themselves think it proper, to take passports from Berlin; but to gain time, it is permitted to them to take them as heretofore, at their convenience, from the admiralities, the chambers of war, and of the domains of each province, and from the magistrates of the cities. In consequence of which it is ordained to these colleges in the most express manner not to grant these passports but to the real and actual subjects of the king with the greatest precaution, providing carefully against all abuses which may be made of them, and observing strictly the ordinances published upon this object. The end which his majesty proposed to himself in publishing the declaration of the 3d of November has been and is singly to procure to Prussian vessels which navigate beyond the channel, in the ocean, or the Atlantic Sea, and which carry their commerce into these distant seas and regions, a safety so much the greater against all prejudicial accidents, in causing to be expedited to them passports by his minister of foreign affairs, who, by his knowledge of the state of public affairs, is the most in a condition to take the necessary precautions.

ARTICLE III. The navigators not being able to send to Berlin complete bills of lading of the cargoes of their vessels before they are entirely loaded, there is not

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 516.

required of those who have occasion for immediate passports of the court any other thing, except that they produce certificates and general attestations from the admiralities, the chambers of domains, or the magistrates of the cities concerning the property of the vessel, and when the passport should express also the cargo concerning the quality of the cargo—that is to say, in what it consists—which is sufficient to judge whether the merchandizes are lawful and whether the passports requested can be granted. The bills of lading and complete and specific attestations of the quantity of each merchandize may be expedited as heretofore in the usual manner to places where the loading is made by the admiralities, the chambers of finances, or the magistrates of the cities.

ARTICLE IV. In the ordinance of the 30th of April his majesty has been pleased to encourage his subjects to the national commerce, to advise them to engage in maritime commerce as much as possible upon their own account and with their own merchandizes; and it has been established in consequence, in the declaration of the 3d of November, that to obtain passports from the court it was necessary to prove by requisite certificates that the owners both of the vessel and the cargo were Prussian subjects; nevertheless, all this was done properly in the form of advice, and to render them so much the more attentive to the precautions which they ought to take; it is not for this the less free and lawful to the subjects of the king who have obtained requisite passports to transport also in their vessels, in conformity to the ordinance of the 30th of April, to places and ports which are not besieged nor close blocked, merchandizes and effects belonging to foreign nations, and even to belligerent nations, provided that those merchandizes are of the nature of those which, according to the 2d article of the declaration of the 30th of April and conformably to the customs and rights of nations, are permitted and not of contraband. His majesty will not fail to protect them in such cases according to the principles which he has adopted and established in this regard with other powers, allies, and friends, and he has judged necessary to declare all which goes before for preventing all abusive interpretation of the declaration of the 3d of November.

ARTICLE V. The captains and commanders of Prussian vessels ought, when they arrive in ports or places where reside consuls of the king, to present to them their passports, and demand of them attestations, which certify that their vessels are still furnished with passports expedited to them.

ARTICLE VI. The commanders of these vessels would do well also to take with them the ordinances of the 30th of April and the 3d of November and the present declaration, to follow so much the better the precepts of it, and to be able, in case of need, to show them and justify their conduct by them. Nevertheless, those two ordinances, as well as this, which renews them and serves to explain them, have not been published but for the direction of Prussian subjects who exercise navigation and maritime commerce; and in cases even where they may fail in some point of their observation, and where they may not be furnished with passports requisite, they are not responsible for their negligence but to his majesty, their lawful sovereign, and the commanders of armed vessels of the belligerent powers can not think themselves authorised thereby to stop them or to take them when they have not acted openly in a manner contrary to the principles of the maritime neutrality adopted by his majesty.

Given at Berlin the 8th of December, 1781, by express order of the king.

DE HERTZBERG

I have the honor to be, &c.,

JOHN ADAMS.

Livingston to Adams.\*

PHILADELPHIA, *December 26, 1781.*

DEAR SIR : It is very long since we had the pleasure of hearing from you. Before this you will probably have received two letters of mine ; a duplicate of the last goes with this.

Nothing material has occurred since the date of that, except the evacuation of Wilmington, which was, as you know, a very important post, as it checked the trade of North Carolina and kept up a dangerous connexion with almost the only tories on the continent who have shown spirit enough to support their principles openly.

This new sacrifice by Britain of their partizans, conspiring with that made by the capitulation of York, must open their eyes and teach them what the experience of ages should have taught, that those friendships are weak which arise from a fellowship in guilt.

Our army and the French troops are in quarters. The first in the Jerseys and upon the Hudson ; the last in Virginia. General Greene will be reinforced by about eighteen hundred men under St. Clair. The enemy are shut up in New York, Savannah, and Charleston, though I believe they may yet have one or two posts near the latter, which they will keep till St. Clair joins Greene. Count de Grasse is in the West Indies with so formidable an armament as promises the most important successes during the winter ; when joined by the force that has sailed from Brest and so many of the Spanish fleet as are prepared to co-operate with him, he will have about fifty sail of the line under his command.

I enclose several resolutions of Congress, which will convince you that their late successes have not rendered them supine or negligent. The spirit which animates them will pervade most of the States. I need not suggest to you the use that should be made of this information. You will see at once that it should not be buried or paraded ; that it should be *discovered*, but not *displayed*. I am persuaded that your own knowledge of the world and the particular situation of the government you are in will direct you to the best means of rendering them useful to this country. I also enclose an ordinance relative to captures and recaptures lately passed by Congress. You will observe that it is formed upon the plan recommended by the armed neutrality. It does credit in that view to our moderation. Perhaps the conduct of Britain and the neglect of the neutral powers to enforce their own regulations may render the policy of the measure doubtful. This, however, gives new force to the deductions drawn from it in favor of our moderation and justice.

You will also observe that it uses means to put an entire stop to all kind of commerce with Britain or in British manufactures. In consequence of this new habits and new fashions must be introduced. Wise



nations will not neglect this favorable moment to render them subservient to the interest of their own commerce and manufactures. This affords you a topic which need not be urged to enlarge upon. I am very fearful that you will not fully understand the ciphers in which my last letters are written. I had them from the late committee of foreign affairs, though they say they never received any letters from you in them. Mr. Lovell has enclosed what he thinks may serve as an explanation. I would recommend it to you to write to me in M. Dumas' cipher till I can send you or you send me one by a safe hand. Should you be at Paris, Dr. Franklin has Dumas' cipher.

And now, sir, for all this American intelligence let me receive from you a full return in European commodities of the like kind. I do not hesitate to impose this task upon you, because I know it is one that you have never neglected, and that you are fully impressed with the idea of its importance to us. Among other things, I am persuaded Congress would wish to know the success of your loan and your prospects; the disposition of the government and the strength of the marine of the United Provinces; its objects and preparations for the ensuing campaign; the negotiations which may be carrying on at present either for peace or war; the designs, finances, and marine of Russia. I shall also apply to Mr. Dana for information on this subject, as it will be much more practicable to correspond with him through you than to get letters to him at this season of the year from here. I shall, however, attempt both.

I am too well acquainted with your industry and patriotism to think that you will repine at any trouble that this may give you. You know that Congress have a right to the fullest information from their ministers, and that their ministers have similar demands upon them. I shall endeavor, as far as lies in my power, to satisfy the last in future, since that charge has devolved upon me.

I enclose a number of newspapers, that may afford you some information and amusement, and have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

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Franklin to Vergennes.\*

PASSY, *December 27, 1781.*

SIR: I received the letter your excellency did me the honor of writing to me the 21st instant, and having understood from Mr. Grand that he had lately obtained a sum that would be sufficient for the present month, I communicated your letter to him and desired his opinion whether instead of the million I had requested of your excellency it might not be well to take only 500,000 livres, and leave the other 500,000 for Mr. Morris. Enclosed I send his answer to me, by which I am induced

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\* Franklin MSS., Dep. of State.



to continue my application for the entire million; and as I shall make no other use of it than to pay the bills and orders of Congress, I am fully satisfied of my being sufficiently authorized in applying their money to that purpose; more especially as the protesting their drafts would be attended with the most mischievous consequences.

I am, with great respect, sir, your excellency's.

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Franklin to Miss Laurens.\*

PASSY, *December 29, 1781.*

MADAM: I received your very sensible letter of the 14th past. Your brother, Colonel Laurens, being here when I received the former, I informed him of the steps I had then taken respecting your good father, and requested him to answer your letter for me. I did suppose he had done it; but his great and constant occupation while here might occasion his omitting it. The purport was that on a report of your father's being harshly treated I wrote in his behalf to an old friend, Sir Grey Cooper, secretary of the treasury, complaining of it, whose answer was that he had inquired and found the report groundless; and he sent me enclosed a letter he received from the lieutenant of the Tower, assuring him that Mr. Laurens was treated with great kindness, was very sensible of it, thankful for it, and frequently expressed his satisfaction. On this I became more easy on his account. But a little before I received your letter I had one (from Mr. Benjamin Vaughan, who is connected with the family of Mr. Manning), which informed me that Mr. Laurens was really in want of necessaries, and desired to know if no provision was made for his subsistence. I wrote immediately to Mr. Hodgson, in whose hands I had lodged some money, requesting him to hold one hundred pounds of it at the disposition of Mr. Laurens and to acquaint Mr. Vaughan with it.

About this time I received two letters, one from Mr. Burke, member of Parliament, complaining that his friend General Burgoyne (in England on his parole) was reclaimed and recalled by Congress, and requesting I would find some means of permitting him to remain. The other was from Congress, enclosing a resolve that empowered me to offer General Burgoyne in exchange for Mr. Laurens. Perceiving by Mr. Burke's letter that he was very desirous of obtaining his friend's liberty, and having no immediate intercourse with the British ministry, I thought I could not do better than to enclose the resolve in my answer to his letter, and request him to negotiate the exchange. When I received yours I was in expectation of having soon an answer from Mr. Burke and Mr. Hodgson, which would enable me to give you more satisfactory information. I therefore delayed writing to you from post

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\* MSS. Dep. of State; 7 Bigelow's Franklin, 336.

to post till I should hear from them, and fearing from the length of time that my letters had miscarried I sent copies of them.

It is but yesterday that I received an answer from Mr. Hodgson, dated the 21st instant, in which he writes me: "I received your favor of the 19th ultimo. I immediately acquainted Mr. Vaughan with your directions concerning the supplying Mr. Laurens. He has been acquainted therewith, but hitherto no application has been made to me for the money; whenever it is, you may be assured it shall be complied with." No answer has come to my hands from Mr. Burke, but I see by a newspaper Mr. Hodgson sends me that he has endeavored to execute the commission. I enclose the paper for your satisfaction, together with a copy of your father's petition to Parliament, on which I do not find they have yet come to any result; but observing that he makes no complaint in that petition of his being pinched in the article of subsistence, I hope that part of your intelligence from London may be a mistake. I shall, however, you may depend, leave nothing undone that is in my power to obtain his release, and I assure you that the thought of the pleasure it must afford a child whose mind is of so tender a sensibility and filled with such true filial duty and affection will be an additional spur to my endeavors. I suppose Mr. Adams has informed you that he has ordered another hundred pounds sterling to be paid Mr. Laurens, and I hope you will soon have the happiness of hearing that he is at liberty.

With great regard, I have the honor to be, madam.

**Morris to the Governor of Rhode Island.\***

**OFFICE OF FINANCE, *December 29, 1781.***

SIR: I have been favored with your letter of the 3d of last month, and am much obliged to you for the information it contains. There is now before Congress, on a report from this office, a plan for liquidating and adjusting the accounts of the several States, and I should sooner have answered your letter if I had not expected the pleasure of sending forward the act of Congress on that subject with my letter.

I have no doubt but that the State over which you preside has made great exertions in the common cause, and but for the exertions which have been made the enemy would long since have been more successful. Every State in the Union claims the merit of extraordinary efforts, and whose claim is the best I will not pretend to ascertain; but I feel it to be my duty to observe that nothing but a continuance of active exertions on our part can possibly assure those objects for which so much has already been done and suffered. Persuaded that the wisdom of your legislature will feel equally with me the force of this observation,

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\* 6 Sparks' Dip. Rev. Corr., 409.

I have no doubt but that the requisitions of Congress for the service of the year 1782 will be punctually complied with.

With respect to the impost law, I will not say anything more about it than merely to remind you of what has already been said in former letters. The time is hastening on when it must be determined, perhaps forever, whether the United States of North America shall, or shall not, possess the inestimable jewel of public credit. In the mean time, the conduct of those in public life, as far as it relates to this object, must determine whether or not they are really the friends of their country. Mr. Warren, who is now I suppose with you, will, I doubt not, give you every information which may be required as to the situation of our affairs, and his genius and talents will enable him to place in a much stronger point of view than any letter from me the importance of complying with the requisitions of the United States. I hope, sir, you will pardon me for adding, that if every State in the Union has an equal right with yours to wait until others have complied, the Congress may spare themselves the trouble of doing any further business, and their constituents may be spared the expense of keeping them together. I need not, I am persuaded, go into a detail of the consequences.

With perfect respect and esteem, I am, &c.,

ROBERT MORRIS.

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**J. Adams to the President of Congress.\***

AMSTERDAM, *December 29, 1781.*

**SIR:** The minister of the court at Vienna has announced to their high mightinesses the accession of the emperor to the armed neutrality in the following manner:

The emperor having been invited by her Imperial majesty of all the Russias to accede to the principles of neutrality which have been laid down in her declaration of the 28th of February, 1780, transmitted to the belligerent powers, his majesty has accepted of this invitation so much the more willingly as he is convinced of the justice and equity of these principles. In consequence their Imperial majesties have resolved between themselves and caused to be exchanged at St. Petersburg acts of accession on one part and of acceptation on the other, of which the subscriber, envoy extraordinary, has the honor to transmit copies, by order of this court, to their high mightinesses, requesting them to accept of this communication as a fresh testimony which the emperor is pleased to give them of his affections and of his most perfect confidence.

His Imperial majesty hopes that this step will be considered as a new proof of his sincere and unalterable intentions to observe the strictest neutrality and the most exact impartiality towards the belligerent powers. And as he has not ceased to give proofs of it through the whole course of this war, he flatters himself he shall be able to find in it sufficient pledges of that attention and regard which he has a right to require in return on their part for the rights and liberties of neutral nations.

Done at The Hague this 11th day of December, 1781.

THE BARON DE KEISCHACH.

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 523.

The act of accession, presented with the foregoing note, is of the following tenor :

Joseph the Second, by the grace of God, &c., having been invited amicably by her majesty the Empress of all the Russias to concur with her in the consolidation of the principles of the neutrality upon the sea, tending to the maintenance of the liberty of the maritime commerce and of the navigation of neutral powers, which she has laid down in her declaration of the 28th of February, 1780, presented on her part to the belligerent powers, which principles imply in substance—

1. That neutral vessels may navigate freely from port to port and upon coasts of the nations at war.

2. That effects belonging to the subjects of powers at war be free upon neutral vessels, excepting merchandizes of contraband.

3. That no merchandizes be considered as such but those enumerated in the tenth and eleventh articles of the treaty of commerce, concluded between Russia and Great Britain the 28th of June, 1766.

4. That to determine what characterizes a port blocked, this denomination is only to be given to that where by the disposition of the power which attacks it with vessels sufficiently near, there is an evident danger of entering.

5. Finally, that these principles serve as rules in proceedings and judgments concerning the legality of prizes.

And her said Imperial majesty of all the Russias having proposed to us to this effect, to manifest by a formal act of accession, not only our full adhesion to these same principles, but also our immediate concurrence in the measures to assure the execution of them, that we would adopt on our part, by contracting reciprocally with her said majesty the engagements and stipulations following, viz :

I. That on one part and on the other we will continue to observe the most exact neutrality, and will carry into the most rigorous execution the prohibitions declared against the commerce of contraband of their respective subjects with any of the powers already at war, or which may enter into war in the sequel.

II. That if, in spite of all the cares employed to this effect, the merchant vessels of one of the two powers should be taken or insulted by any vessel whatsoever of the belligerent powers, the complaints of the injured powers shall be supported in the most efficacious manner by the other, and that if they refuse to render justice upon these complaints, they shall concert immediately upon the most proper manner of procuring it by just reprisals.

III. That if it should happen that one or the other of the two powers, or both together, on occasion or in resentment of this present agreement, should be disturbed, molested, or attacked, in such case they shall make common cause between themselves for their mutual defence, and labor in concert to procure themselves a full and entire satisfaction, both for the insult offered to their flag and for the losses caused to their subjects.

IV. That these stipulations shall be considered on one part and on the other as permanent, and as making a rule, whenever it shall come in question, to determine the rights of neutrality.

V. That the two powers shall communicate amicably their present mutual concert to all the powers who are actually at war.

We, willing, by an effect of the sincere friendship which happily unites us to her majesty the empress of all the Russias, as well as for the well-being of Europe in general and of our countries and subjects in particular, to contribute on our part to the execution of views, of principles, and measures as salutary as they are conformable to the most evident notions of the law of nations, have resolved to accede to them, as we do formally accede to them in virtue of the present act, promising and engaging solemnly, as her Imperial majesty of all the Russias engages herself to us,

to observe, execute, and warrant all the foregoing points and stipulations. In faith of which we have signed these presents with our own hand and have hereto affixed our seal.

Given at Vienna the 9th of October, 1781.

JOSEPH.

The Prince de Gallitzen has notified the acceptation of Russia nearly in the same words. By the fifth article the two Imperial courts ought to notify this to Congress, for it is most certain that the United States are one of the powers actually at war. Whether they will or no, time must discover, but by the articles, to serve as a basis of peace at the proposed congress of Vienna, these two courts have certainly acknowledged the American Colonies to be a power at war, and a power sufficiently free to appear at Vienna and make peace with Great Britain.

The confederation for the liberty of navigation of neutral nations is now one of the most formidable that ever was formed in the world. The only question is, whether it is not too complicated and various to be managed to effect. The conduct of the Empress of Russia towards this republic, and especially in offering her mediation for a separate peace between England and Holland, has excited some jealousies of her sincerity or her constancy. But I think it will appear in the end that she intends that Holland shall enjoy the full benefit of this confederation, which will effectually deprive England of that sovereignty of the sea which she so presumptuously claims and boasts. But if it should appear, which I do not expect, that the empress should advise the Dutch to give up the right of carrying naval stores, after the example of Denmark, her glory will suffer no small diminution, and I presume that Holland, humble as she is, will not submit to it, but make immediately common cause with the enemies of her enemy.

I have the honor to be, &c.,

JOHN ADAMS.

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Vauguyon to Adams.\*

[Translation.]

VERSAILLES, *December* 30, 1781.

SIR: You desired that on my arrival at Versailles I should communicate to the Count de Vergennes your disposition to adopt the measure you have been advised to pursue by several well-disposed members of the States of Holland, and that I should at the same time make known to him your determination not to take that step without his approbation.

The minister directs me to inform you that he sees no objection to the visit which you wish to make to the president of the assembly of the States-General, to the ministers of the republic, and to the deputies

of the principal cities of the province of Holland, provided that, without leaving either of them any official writing, you limit yourself to the inquiry whether the memorial which you transmitted to them several months since has been made the subject of deliberation by their high mightinesses, and what answer you may communicate to the Congress of the United States of North America.

I do not know the precise time of my return to The Hague, but see no reason to suppose that my absence will be longer than I expected.

Receive, sir, my renewed assurance of the profound respect with which I have the honor to be, &c.,

DE LA VAUGUYON.

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Hartley to Franklin.\*

LONDON, *January 2, 1782.*

MY DEAR FRIEND: I have received the favor of yours of the 15th of December by Mr. Alexander. I most heartily join with you in the wish that we could find some means to stop the spreading flames of this *devilish war*. I will not despair. The communications which he has imparted to me from you have revived my hopes of peace. I laid them before the minister immediately. We are at a suspense for the present upon a very material preliminary. I did intend writing to you at the present pause, that we might make our ground good as we go on, but an accident which has happened obliges me to do it without delay; for having had a most essential question transmitted to me from Lord North for explanation, when I would have applied to Mr. Alexander I could not find him; and now I find that he has left his hotel these four or five days, and his return being uncertain, I must apply to you. I will state to you what has passed.

Upon my first interview with Mr. Alexander he told me that the late events would make no difference in the prospect of peace; that America had no other wish than to see a termination of this war; that no events would make them unreasonable on that subject, which sentiments likewise your letter expresses; and that no formal recognition of independence would be required. I thought this a very fair opening; but the next point which he explained to me seemed to be still more material towards peace, viz: that America was disposed to enter into a separate treaty with Great Britain, and their allies were disposed to consent to it. I believe that it has been the unfortuate union of common cause between America and France which has for the last three years turned aside the wish of the people of England for peace. I verily believe (so deep is the jealousy between England and France) that this country would fight for a straw to the last man and the last shilling rather than be dictated to by France. I therefore consider this as

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\* 2 Sparks' Dip. Rev. Corr., 188; 7 Bigelow's Franklin, 360. *note.*



the greatest rub out of the way. I have often argued this point with you upon former occasions, having at all times foreseen that it would be the greatest rub in the road to peace, and I have often stated it to you as an act of *justice* due to America from her allies not to drag her through a war of European resentments and jealousies beyond her original views and engagements; and, moreover, I think the separation of the causes in the negociation promises much the shortest road to a general peace.

Upon Mr. Alexander's opening thus much to me I told him I would apply for the earliest opportunity of laying these matters before the minister. Accordingly, on Friday morning, December the 21st, I applied, through the means of the Earl of Guilford, father to Lord North, a nobleman of a most respectable character, advanced in years, and attached by every possible tie to a son now in the most arduous situation. I therefore requested the favor through his hands, as giving me the most conciliatory access to the minister, to whom I was preparing to make an application for peace. After the appointment was made with Lord North for Friday evening I returned to Mr. Alexander, to consider the specific manner and terms in which I should make my application. It had occurred to me, from what Mr. Alexander had stated to me, that the conciliatory bill,\* which I had moved in the last Parliament, on June the 27th, 1780, would still serve as a foundation to proceed upon; I therefore carried it with me.

He told me that he and you knew the sense of the bill very well, and that it would be entirely consonant to your sentiments that I should state it to Lord North as drawing an outline for a negociation of peace. However, to avoid all errors, I read the bill through to him, and explained the view of each clause, viz: the style of *Provinces of North America*, a general phrase, to avoid any term denoting dependence or independence; the truce for an indefinite term; the articles of intercourse for ten years certain; to restore an amicable correspondence and to abate animosities; the suspension of certain acts of Parliament; to avoid every possible question of dependence or independence; and to finish the work by a ratification of each article of intercourse as agreed to, thereby to prevent all possible return of war. I compared the articles of intercourse for a short term and their ratification into a permanent peace to a well-known mode of proceeding in the laws of England by lease and release from temporary to perpetual amity and peace.

Upon these grounds I took my commission from him for Lord North, viz: the question of dependence or independence *sub silentio*, a separate treaty with America, and to state the conciliatory bill of June, 1780, as the outline of negociation. I saw Lord North in the evening, and stated the foregoing propositions to him as I have now stated them to you. After having stated the compromise *sub silentio* and the separate treaty, I left with Lord North the copy of the bill of June, 1780,

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\* See this bill *supra*, Hartley to Franklin, July 17, 1780.

together with a paper entitled *Conciliatory Propositions*, as explanatory of that bill, both enclosed with this. The next morning, viz: Saturday, December the 22d, I saw Mr. Alexander, and reported to him what I had stated to Lord North, and showed him a copy of the paper entitled *Conciliatory Propositions*. He told me that I had executed my commission perfectly to his intelligence of the matter. I should tell you that at the conclusion of my conversation with Lord North we both settled jointly the result thus: "I recommend to your lordship the propositions which I have had the honor of stating to you as *general grounds of a proposed negociation leading towards peace under liberal constructions*." Lord North said in answer, "So I understand them."

Upon this footing matters rested for some days. On Sunday last, December the 30th, I received a message from Lord North, through the means of Lord Guilford, requesting an explanation of this point, viz: "Who is authorized to treat on the part of America? Whether you or Mr. Adams, or both jointly; and whether the propositions above stated would be acknowledged as general grounds of negociation towards peace by the person or persons authorized to treat; because it was necessary, before he could lay a matter of so great importance before the cabinet council, that he should be entitled to say, these propositions and general outlines come to me from responsible and authorized persons." The moment I received the request of Lord North I agreed entirely with the necessity of an explanation on that head. I had partly expected such an inquiry; and it gave me satisfaction when it came, as I thought it the first reply towards a parley. If the propositions had not gained some attention, it would have been of very little importance to have inquired whence they came. As to the caution itself, it appears to me not only prudent, but indispensable. The forms of caution in such cases are the essentials of caution. I had determined, on my own account, before this message, to have written to you, that I might have received your sentiments directly from yourself, without any other intervention, that we might proceed with caution and certainty in a matter of such infinite importance. This message has only quickened my despatch. The two points of explanation requested I take to be these: Whether the outlines above recited are properly stated, always considering that they imply no further than *general grounds of negociation towards peace under liberal constructions*; and, secondly, by what authorized person or persons any answer on this subject would be accepted; in short, a requisition of credentials preparatory to a formal answer, which is so much the more necessary on the supposition of a favorable reception of the first hint towards negociation.

When I last saw Mr. Alexander, viz: about four or five days ago, he had met with some desponding impressions, as if the ministry were indisposed to peace, and that things would not do, &c. He did not tell me upon what ground he had formed such apprehension. However, lest he should have imparted any such by letter to you, I will state that

point to you, because it may have infinite ill consequences to be too touchy on such occasions. A premature jealousy may create the very evil it suspects. The ministry in this country are not everything. The sense of the people, when really expressed and exerted, would be most prevalent. Suppose, then, it were a proved point that every man in the ministry were in his heart adverse to peace. What then? Withhold all overtures? By no means. I should advise the very contrary in the strongest manner. I should say, let the overtures be made so much the more public and explicit by those who do wish for peace. It is the unfortunate state of things which has hitherto bound the cause of France to any possible treaty with America, and which has thereby thrown a national damp upon any actual public exertions to procure a negotiation for peace with America. I have the strongest opinion that, if it were publicly known to the people of England that a negotiation might be opened with America upon the terms above specified, that all the ministry together, if they were ill-disposed to a man, would not venture to thwart such a measure.

But why should it be supposed that the ministry to a man are ill-disposed to peace? Suppose them to be half and half, and the public wish and voice of the people in favor of negotiation, it is evident on which side the balance would incline. But why should we seek to throw a damp prematurely upon any chance? Why presume even against any individual? I grant that it would be a bitter trial of humility to be brought to a formal recognition of independence at the haughty command of France, and I believe every part of the nation would proceed to every extremity before they would submit to that. But if that touchy point can be provided for *sub silentio*, and if the proposed treaty with America may be carried on free from control by France, let us give the cause of peace a fair trial; at the worst we should but be where we were if we should fail. But why should we expect to fail, when the greatest rub is removed by the liberty of entering separately into a treaty? I think it a most favorable event, leading towards peace. Give us a truce, with its concomitants; and a little time so given for cooling will have most excellent effects on both sides. Eternal peace and conciliation may then follow.

I send this to you by the quickest despatch, that we may bring this point to a fair issue before the meeting of Parliament. God prosper the blessed work of peace.

I am ever, yours, most affectionately,

D. HARTLEY.

JANUARY 8, 1782.

P. S.—Since writing this letter I have seen Mr. Alexander, and shall see him from time to time to communicate with him. I do not suppose I shall have an answer from Lord North till the preliminary points are so settled as to enable him to give an answer in form. The ministry might undoubtedly give a short negative if they thought proper; but

I do not expect that. You may be assured that I have and shall continue to enforce every argument in the most conciliatory manner to induce a negotiation. I am very sorry for Mr. A.'s confinement, on his own account and on that of his friends, and because probably in the future state of this business his personal exertions may be very serviceable in the cause of peace. Every assistance and every exertion of mine will always be most heartily devoted to that cause. I have nothing further to add, either upon my own reflections or from my subsequent conversations with Mr. Alexander, to what I have stated in the foregoing letter. If we once make a good beginning upon the plan there stated, I should hope that such negotiation, founded on such principles, would promise fair to produce every salutary and pacific consequence in the event.

D. H.

#### REMARKS ON THE CONCILIATORY BILL.

In the title and preamble of the bill the words *Provinces of North America* are used as general words, neither implying dependence or independence.

CLAUSE I. *The truce* is taken from the conciliatory act of 1778, and is indefinite as to the proposed duration of the truce. Under this clause it might be proposed to negotiate three points, viz: the removal of the British troops from the thirteen provinces of North America, and connectedly with this article a stipulation for the security of the friends of the British Government. The third article might be a stipulation that the respective parties, during the continuance of the truce, should not either directly or indirectly give assistance to the enemies of each other.

CLAUSE II. *Articles of intercourse and pacification*.—Under this clause some arrangements might be settled for establishing a free and mutual intercourse, civil and commercial, between Great Britain and the aforesaid provinces of North America.

CLAUSE III. *Suspension of certain acts of Parliament*.—By this clause a free communication may be kept open between the two countries during the negotiation for peace, without stumbling against any claim of rights which might draw into contest the question of dependence or independence.

CLAUSE IV. *The ratification by Parliament*.—The object of this clause is to consolidate peace and conciliation step by step as the negotiation may proceed; and to prevent, as far as possible, any return of war after the first declaration of a truce. By the operation of this clause a temporary truce may be converted into a perpetual and permanent peace.

CLAUSE V. *A temporary act*.—This clause, creating a temporary act for a specific purpose of negotiation in view, is taken from the act of 1778.

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#### Morris to the Governors of the States.\*

(OFFICE OF FINANCE, *January 3, 1782.*

SIR: Although it is now eleven months since Congress recommended an impost of five per cent. on goods imported and on prizes and prize goods, the States of Massachusetts, Rhode Island, and Maryland have not yet complied with that recommendation.

I will not repeat the arguments to induce a compliance which are contained either in my letter of the 27th of July or elsewhere; that is

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\* 6 Sparks' Dip. Rev. Corr., 410.

unnecessary. The object of this letter is to make a representation which can no longer be delayed consistently with the duties I owe either to myself or my country. And although it is principally designed for those three States just mentioned, yet I transmit it to the other States (in a letter of which the copy is enclosed), because all ought to know what is interesting to all.

Convinced that the impost recommended was not sufficient, I had devised some additional funds for the payment of our debts and the support of our credit. These I should have submitted to the consideration of Congress had the States complied with their former recommendations.

In a circular letter dated the 19th of October last I had the honor to mention an order prohibiting loan officers from issuing certificates in payment of interest, together with the reasons for which it was made. That order has already produced much clamor among the public creditors. This I expected, and I still expect that it will occasion much more.

The public debt is considerable, and the public credit must be lost if the interest of it be not provided for. Congress have done their duty in requesting revenue, and I have done mine in soliciting a compliance with their request. It only remains for me to bear testimony against those who oppose that compliance, and to declare that they, and they only, must be responsible for the consequences. They are answerable to the other States, to their fellow-citizens, to the public creditors, and to the whole world.

I must speak plainly on this subject. I must point out from time to time the reason of those things which have produced murmurs and complaints against the representative body of America. I must direct those who suffer to those who occasion their sufferings, and those who are injured to those who have done them wrong. Let me then once more entreat that this great object be seriously considered. Let me repeat that the hope of our enemy is in the derangement of our finances; let me add, that when revenue is given that hope must cease. He, therefore, who opposes the grant of such revenue not only opposes himself to the dictates of justice, but he labors to continue the war, and, of consequence, to shed more blood, to produce more devastation, and to extend and prolong the miseries of mankind.

I have the honor to be, &c.,

ROBERT MORRIS.\*

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\* JANUARY 7.

This day the National Bank of North America opens to transact business. This institution, I am persuaded, will flourish under the management of honest men and honest measures. The present directors are such men, and the present system of measures are founded in principles of justice and equity. Therefore, I shall most cheerfully assist all in my power to establish and support this bank. And, as a beginning, I have this day issued my warrant on the Treasury for two hundred thousand dollars in part of the shares which I have subscribed on behalf of the public.—  
*Diary.*

## Dumas to the President of Congress.\*

AMSTERDAM, *January 7, 1782.*

SIR: It would require a volume and several hands to relate the events of which I have been a daily witness, and not seldom an active one, since my last despatch of October 11. Indifferent health, as well as prudence, has forbidden me to write down and send a journal of them, as I formerly did. The rage of the English and of their faction here is increased with their late disappointments; and while things draw nearer to some conclusion, my own experience and that of others has taught me not to trust too much to any public conveyance.

I heartily congratulate Congress upon the glorious event of the 19th of October last, which has given joy to our friends and confusion to our enemies here.

The loan of five million of guilders to France in behalf of the United States having been unanimously agreed to by their high mightinesses has been subscribed in one day; and this stock is no more to be had under two per cent. above the capital.

To-morrow the States of Holland will meet again at The Hague to deliberate about the offered mediation of Russia, already accepted by Great Britain, for a peace between the latter and this republic. In spite of the English faction, I have good reason to foretell that two conditions, *sine quibus non*, will be insisted on as preliminaries by the republic. 1st. All the rights of a free and unlimited navigation offered to this republic in virtue of former treaties as well as of her being part of the armed neutrality. 2dly. That this negociation for a particular peace shall not hinder the republic in the mean time, and till concluded, from concerting measures with France for carrying on the war. Without these clauses expressed in the resolution that is to be taken this or next week, I am assured that none will be taken, because it is a matter which requires unanimity.

After having managed an interview between Mr. Adams and some gentlemen at The Hague I have accompanied him hither during the vacation time. To-morrow we intend to go back to The Hague, where we have agreed with the said gentlemen and with the French ambassador upon Mr. Adams' addressing their high mightinesses for a categorical answer on the errand of his mission.

I have the honor to be, &c.,

DUMAS.

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 342, which version, paraphrasing and condensing the original, is here given.



Livingston to Franklin.\*

PHILADELPHIA, *January 7, 1782.*

**DEAR SIR:** As it does not appear improbable that the humiliation and misfortunes of Great Britain may produce the same sentiments which a spirit of moderation dictates to the other belligerent powers, and lead her to concur with them in their wishes for peace, it can not be improper to acquaint you with the objects America most wishes to attain, and to furnish you with the arguments on which they found their claim to them. For such is the confidence, not only in the justice of his Most Christian majesty, but in his friendship, that they firmly persuade themselves that he will not only preserve for them their undoubted rights, but that he will even go so far as to procure for them those advantages they may reasonably demand on the close of a successful war; and I am perfectly satisfied that the loose hints that a detail of their sentiments may afford you and our other commissioners will be strengthened and improved by your lights in such manner as to come before his majesty in the most advantageous form.

The first point of discussion will be the limits of the United States. The instructions given to Mr. Adams on the — day of — last explain the wishes of Congress on that subject, nor can they admit of many doubts, except so far as they relate to our southern extent, the boundary between us and Canada being very well ascertained by grants, charters, proclamations, and other acts of government, and more particularly by the settlements of people who are engaged in the same cause with us, and who have the same rights with the rest of the subjects of the United States.

Our western and northwestern extent will probably be contested with some warmth, and the reasoning on that subject be deduced from general principles and from proclamations and treaties with the Indians.

The subject is undoubtedly intricate and delicate, yet upon candid investigation I believe it will appear that our extension to the Mississippi is founded in justice, and that our claims are at least such as the events of the war give us the right to insist upon. Your situation furnishing you amply with the various documents on which Great Britain founded her claim to all the country east of the Mississippi previous to the treaty of Paris, I will not trouble you with references to them, which would at any rate be imperfect, from the want which prevails here of books and papers. Taking it for granted that the King of Great Britain was entitled to that extent of country (which he at least can not contravene), it only remains to examine how far he considers it as within the limits of some or other of the United States, because he can no more pretend to abridge those limits than claim by any other right of which the United States are in possession.

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 194, with verbal changes.

His idea of these limits is apparent from charters granted by the crown; and from recent grants made by its representatives in several of the States it appears that they considered their authority to grant lands to the westward as coextensive with the right of Great Britain, unless they were restricted by their interference with other governments. Upon this principle the servants of the crown in New York granted land on the border of Lake Erie to the westward of Niagara. And Virginia, even after the proclamation of 1763, patented considerable tracts upon the Ohio far beyond the Appalachian Mountains. It is true the several governments were prohibited at different times from granting lands beyond certain limits, but these were clearly temporary restrictions, which the policy of maintaining a good understanding with the natives dictated, and were always broken through after a short period, as evinced by the grants above mentioned made subsequent to the proclamation in 1763. And indeed the proclamation itself furnishes a substantial argument of the opinion of Britain with respect to the right which some of the States had to extend to the westward of the limits it prescribed, otherwise it would not have been necessary to prohibit their governors from granting, as their patents would in such cases have been invalid, and themselves subjected to the censure of their master, upon whom they were dependent. Unless, therefore, these proclamations absolutely destroyed the right, they must be considered as proofs of its existence at least, and after they were issued. The slightest examination of them shows that they did not take away, but restrained an existing right, and the subsequent grants by the governors evidence that they were, as is before asserted, mere temporary restrictions. The same reasoning applies to the treaty at Fort Stanwix, and to other arguments taken from treaties with the Indians. Strong evidence in our favor is also found in the map made by the king's geographer, in which Virginia and the Carolinas are laid down as extending to the Mississippi, shortly after the last war. Arguments may be drawn against us from the Quebec bill, but as this is one of the laws that occasioned the war, to build anything upon it would be to urge one wrong in support of another. But this matter may perhaps be seen in a different light, and our pretensions placed upon a more extensive basis, by recurring to general principles and asking whence Great Britain derived her right to the waste lands in America.

Evidently from the allegiance which a subject is supposed to carry with him wherever he goes, even though he dislikes his constitution and seeks one that pleases him better. Upon this false principle the oppressed subjects of Great Britain, seeking freedom in the wilds of America, were supposed to extend to it the sovereignty of the kingdom they had left. The rights of the King of Great Britain, then, to America were incident to his right of sovereignty over those of his subjects that settled America and explored the lands he claims. For the idea of right derived from mere discovery, and the vain ceremony of taking

possession without planting and continuing that possession is now fully exploded. If, then, we admit what is necessary to our independence, that the right of sovereignty over the people of America is forfeited, it must follow that all rights founded on that sovereignty are forfeited with it; and that upon our setting up a new sovereign in America, the rights which the first claimed as such devolve upon the second. Upon this principle Great Britain is left without a foot of land in America beyond the limits of those governments which acknowledge her jurisdiction.

It is vain to say that the King of Great Britain holds these back lands by a cession from other powers, since those cessions were grounded upon a prior claim derived through the people of America, and only served to confirm the right which they gave the King of Great Britain while he was their sovereign, and which he loses with his sovereignty over them. This mode of reasoning is warranted by the practice Great Britain uniformly held of treating with the Indian nations through their American governors, who have frequently executed with them the most solemn acts, and sometimes extended the king's protection to the nations who occupy the waste lands which are the subject of our present claim. The expense of retaining these in friendship almost always devolved upon the respective States, who, till lately, particularly in New York, voted the sums necessary to support smiths among them and to procure the presents which were annually made them. From hence, then, it follows that if the King of Great Britain has any right over the back lands in America it must be as king of the people of America; ceasing to be king of those people, his right also ceases. If he has no right over the back lands but merely as protector of the savage nations that inhabit them, that connexion and duty also devolve upon us, since they evidently claimed that protection from him as king of the Colonies, and through the governors of those Colonies, and not as sovereign of a country three thousand miles from them. This country having chosen a new sovereign, they may rightfully claim its protection.

There is some reason to believe that Great Britain considered their rights in many instances as extending no further than their rights of pre-emption and protection, as may be inferred from passages in the negotiations for a peace with France in the year 1761, referred to in the margin.\* This suggests a new idea, which, however, I am not warranted by any act of Congress in mentioning, and therefore you will only consider it as the sentiment of an individual. If the mediators should not incline to admit our claim, but determine on restricting our limits, either by the extent of our grants, the course of the mountains, the sources of the rivers, or any other of those arbitrary rules that must be sought for when solid principles are relinquished, perhaps it would not be difficult to bring them to agree that the country beyond those limits

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\* In the margin of the MS. record reference is made to the answer of the king to the ultimatum of France, received Sept., 1761, second section of eleventh article.

belongs to the nations which inhabit it; that it should enjoy its independence under the guarantee of France, Spain, Great Britain, and America, and be open to the trade of those whose lands border upon them.

This, though restrictive of our rights, would free us from the well-grounded apprehensions that the vicinity of Great Britain and her command of the savages would give us. They already possess Canada and Nova Scotia; should that immense territory, which lies upon the rear of the States from the Gulf of St. Lawrence to the Gulf of Mexico, be acknowledged to be vested in Great Britain, it will render our situation truly hazardous. The lands, as you know, are infinitely better than those on the coast; they have an open communication with the sea by the rivers St. Lawrence and the Mississippi, and with each other by those extensive inland seas with which America abounds. They will be settled with the utmost rapidity from Europe, but more particularly from these States. Attachment to the government, freedom from taxes, a prospect of bettering their fortunes, and the fertility of the soil will invite numbers to leave us. This, co-operating with the leaven of dissatisfaction, which will continue to work here for many years, may produce the most dangerous effects, especially upon the southern States, which will, from the nature of their soil and husbandry, be thinly settled for many years, while the lands which lie near them, beyond the mountains, will soon be filled with a hardy race of people inimical to them, who to their own strength will be enabled to join that of the savages subject to their command.

If it is an object with the maritime powers to lessen the powers, and by that means diminish the dangerous dominion that Great Britain has in some measure usurped over the ocean, they must prevent her possessing herself of the country in question, since, besides the whole fur and peltry trade that she will thereby engross, the demands of this great country will give a new spring to her manufactures, which, though the Floridas should be ceded to Spain, will find their way into it by the river St. Lawrence and through the numerous lakes and rivers which communicate with it. Add to this that settlements are already formed beyond the Appalachian Mountains by people who acknowledge the United States, which not only give force to our claims, but render a relinquishment of their interest highly impolitic and unjust. These, and a variety of other reasons, which will suggest themselves to you and the gentlemen joined in the commission with you, will doubtless be urged in such terms as to convince the court of France that our mutual interests conspire to keep Great Britain from any territory on this continent beyond the bounds of Canada. Should the Floridas be ceded to Spain, she will certainly unite with you on this point, as the security of that cession will depend upon its success.

The *fisheries* will probably be another source of litigation, not because our rights are doubtful, but because Great Britain has never paid much attention to rights which interfere with her views.

The argument on which the people of America found their claim to fish on the banks of Newfoundland arises, first, from their having once formed a part of the British empire, in which state they always enjoyed, as fully as the people of Britain themselves, the right of fishing on those banks. They have shared in all the wars for the extension of that right; and Britain could with no more justice have excluded them from the enjoyment of it (even supposing that one nation could possess it to the exclusion of another) while they formed a part of that empire than they could exclude the people of London or Bristol. If so, the only inquiry is, how have we lost this right? If we were tenants in common with Great Britain while united with her, we still continue so, unless by our own act we have relinquished our title. Had we parted with mutual consent, we should doubtless have made partition of our common right by treaty. But the oppressions of Great Britain forced us to a separation (which must be admitted, or we have no right to be independent), and it can not certainly be contended that those oppressions abridged our rights or gave new ones to Britain. Our rights, then, are not invalidated by this separation, more particularly as we have kept up our claim from the commencement of the war, and assigned the attempt of Great Britain to exclude us from the fisheries as one of the causes of our recurring to arms.

The second ground upon which we place our right to fish on the banks of Newfoundland, provided we do not come within such distance of the coasts of other powers as the law of nations allows them to appropriate, is the right which nature gives to all mankind to use its common benefit so far as not to exclude others. The sea can not in its nature be appropriated; no nation can put its mark upon it. Though attempts have sometimes been made to set up an empire over it, they have been considered as unjust usurpations, and resisted as such, in turn, by every maritime nation in Europe. The idea of such empire is now fully exploded by the best writers.

The whale fishery in every sea, and even upon the coasts of princes who do not exercise it themselves, is considered as a common right, and is enjoyed by those nations that choose to pursue it. The cod fishery upon the Dogger bank and other parts of the European seas is claimed exclusively by no nation. The herring fishery is carried on daily by the Dutch on the coast of England; and if the banks of Newfoundland are not equally common, it is because some nations have relinquished their rights and others find it impossible to exercise them for want of harbors to receive their vessels or shores to dry their fish on.

When we say we are willing to exercise it under these inconveniences there can certainly be no further dispute about our right, and the only remaining questions will be the distance that we ought to keep from the shores possessed by the enemy; though, strictly speaking, from our first principle we have a common right in them.

This subject is treated so much at large by Grotius and Vattel, that



I do not think it necessary to detail arguments, which, though urged by people here from their feelings, you will find much better stated there. Give me leave, however, to urge some that may arise from our particular circumstances. All the New England States are much interested in this point—the State of Massachusetts more particularly. It has no staple; it does not raise its own bread; its principal commerce before the war was in fish, which it supplied to the rest of the continent in exchange for rice, flour, &c., and to the West Indies for rum, sugar, and molasses. It shipped little to Europe; first, because it could not fish so cheap as the people of England; secondly, because their fish was not so well cured in general, owing to their fishing at improper seasons, and to their using salt which is said to be of a more harsh nature than what the European vessels bring out with them. Should this State and New Hampshire, which is almost in similar circumstances, be excluded from the fisheries, they must be reduced to great distress. It will be impossible for them to pay for the necessities they must receive from abroad. They will see with pain their sister States in the full enjoyment of the benefits which result from their independence, while their own commerce is checked and their State impoverished. They will consider their interests as sacrificed to the happiness of others, and can hardly forbear to foster that discontent which may be productive of disunion and the most dangerous divisions.

An idea has also gone forth, and it is fomented by the disaffected, that France wishes, from interested views, to monopolise the fisheries, or at least to exclude all other competitors but Great Britain. Those who have attended to the disinterested conduct of France during the war oppose to this sentiment the honor and good faith of their ally, the little interest that he can have in excluding a people from a right which would not interfere with his, since France does little more than supply itself; and the New England fishery, for the most part, only supplies the continent and islands of America. They see the care with which France has endeavored to cultivate a good understanding between that kingdom and these States, and they are persuaded so inconsiderable an object will not be put in competition with the harmony which ought to subsist between them or administer food to those unworthy jealousies. And so much does this sentiment prevail in Congress, that their present prospects have not induced them to alter your instructions, more particularly as they have received through the minister of France assurances that his majesty was pleased with the proofs Congress had given him of their confidence, and that he would in no event make any sacrifices of their essential interests which necessity should not compel him to do; that he had no reason to apprehend from the events of the war that such necessity would exist. These events have become so much more favorable since the date of the letter which contained these assurances, that Congress persuade themselves his majesty will not be driven to make sacrifices equally painful to him and injurious to us; but that,



as we owe our success in war to his magnanimity and generosity, we may be equally indebted to his justice and firmness for an honorable peace.

It is not improbable that Great Britain will endeavor to make some stipulations in favor of their American partizans who have been banished the country or whose property has been forfeited. You will doubtless be sensible of the inconvenience and danger to which their return will subject us and the injustice of restoring to them what they had so justly forfeited, while no compensation is made to us for the loss of property and the calamities they have occasioned.

There can be little doubt that every society may rightfully banish from among them those who aim at its subversion and forfeit the property which they can only be entitled to by the laws and under the protection of the society which they attempt to destroy. Without troubling you, therefore, on the point of right, I will just mention a few of the consequences that would result from a stipulation in their favor.

In the first place, it will excite general dissatisfaction and tumults. They are considered here as the authors of the war. Those who have lost relations and friends by it, those who have been insulted by them while starving in prisons and prison ships, those who have been robbed and plundered, or who have had their houses burned and their families ill treated by them, will, in despite of all law or treaties, avenge themselves if the real or supposed authors of these calamities ever put themselves in their power; nor will the government be able to prevent what the feeling of the body of the people will justify.

Should they be permitted to reside among us, they will neglect no means to injure and subvert our constitution and government and to sow divisions among us, in order to pave the way for the introduction of the old system. They will be dangerous partizans of the enemy, equally unfriendly to France and to us, and will show themselves such upon every occasion. To restore their property in many instances is now become impossible. It has been sold from hand to hand; the money arising from it has been sunk by depreciation in the public treasury. To raise the value by taxes or to wrest the lands from the hands of the proprietors is equally unjust and impossible. Many of the very people who would demand the restitution have grown rich by the spoil and plunder of this country. Many others, who were beggars at the beginning of this war, owe their present affluence to the same cause.

So that at least the account between the two nations should be liquidated before any claim can be set up by the aggressors. How far it will be possible to obtain a compensation for the injuries wantonly done by the enemy you will be best able to judge; be assured that it is anxiously desired.

Give me leave to mention to you the necessity of stipulating for the safe delivery of all records and other papers of a public and private nature which the enemy have possessed themselves of; particularly of

the records of New York, which Mr. Tryon sent to England, and the private papers of many gentlemen of the law in different parts of the continent, by which the rights of individuals may be materially affected.

Thus, sir, I have touched upon the principal points that America wishes to attain in the peace which must end this bloody war. Perhaps in so doing I have given both you and myself unnecessary trouble, since I have urged nothing but what your own knowledge of the country and that of the other gentlemen of the commission would have suggested to you. However, conceiving that circumstances might render it necessary for you to declare that you spoke nothing more than the prevailing sentiments of your court, this letter will serve to vouch the assertion.

Should the Floridas be ceded to Spain, as there is nothing Congress has more at heart than to maintain that friendly intercourse with them which this revolution has happily begun, it will be essential to fix their limits precisely, for which purpose the instructions to Mr. Adams will serve as your directions.

Affairs here are in the same state that they were when I last wrote, except that the enemy in South Carolina have called in all their outposts and shut themselves up in Charleston, where they will be closely invested when General St. Clair joins, which must have happened about the last of December. The brilliant expedition to St. Eustatia does the highest honor to the Marquis de Bouillé and the French nation. I flatter myself that it will be of singular use in Mr. Adams' negociations.

I have the honor to be, dear sir, &c.,

ROBERT R. LIVINGSTON.

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**Morris to the Governors of the States.\***

OFFICE OF FINANCE, *January 8, 1782.*

SIR: I have the honor to transmit herewith an ordinance passed by the United States in Congress assembled the 31st day of December, 1781, incorporating the subscribers of the Bank of North America, together with sundry resolutions recommending to the several States to pass such laws as they may judge necessary for giving the said ordinance its full operation. The resolutions of the 26th of May last speak so clearly to the points necessary to be established by those laws that I need not enlarge on them. Should anything more be found necessary upon experience, the president and directors will, no doubt, make suitable applications to Congress or to the States respectively, as the case may require.

It affords me great satisfaction to inform you that this bank commenced its operations yesterday, and I am confident that with proper management it will answer the most sanguine expectations of those

who befriend the institution. It will facilitate the management of the finances of the United States. The several States may, when their respective necessities require and the abilities of the bank will permit, derive occasional advantages and accommodations from it. It will afford to the individuals of all the States a medium for their intercourse with each other and for the payment of taxes more convenient than the precious metals and equally safe. It will have a tendency to increase both the internal and external commerce of North America, and undoubtedly will be infinitely useful to all the traders of every State in the Union, provided, as I have already said, it is conducted on principles of equity, justice, prudence, and economy. The present directors bear characters which can not fail to inspire confidence, and as the corporation is amenable to the laws, power can neither sanctify any improper conduct nor protect the guilty. Under a full conviction of these things, I flatter myself that I shall stand excused for recommending in the strongest manner this well-meant plan to all the encouragement and protection which your State can give consistently with wisdom and justice.

I have the honor to be, &c.,

ROBERT MORRIS.\*

Franklin to Morris.†

PASSY, *January 9, 1782.*

SIR: I have long feared that by our continually worrying the ministry here with successive afterclap demands for more and more money we should at length tire out their patience. Bills are still coming in quantities drawn on Mr. Jay, Mr. Laurens, and Mr. Adams. Spain and Holland have offered little towards paying them, and recourse has therefore been had to me. You will see by the enclosed letter the situation I am at length brought into. With the million mentioned I shall be able to pay till the end of February, when, if I can get no more money, I must stop. I therefore give you this notice, that provision may be

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\* Notwithstanding the apparent penury and misfortune of the times a bank was instituted during the present summer in Philadelphia, and the scheme was so well supported by the principal men of the province that the allotted capital of 300,000£, Pennsylvania currency, to be paid in hard money, was subscribed in a few days. The public service was, however, the principal, if not the only object, of this bank. They were to receive the Congress money, that is to say, the amount of the taxes, and the supplies remitted by the other colonies; and they were, on the other hand, to answer the public demands, and particularly to furnish the supplies for the Army in the most prompt and efficacious manner, and for the procuring of sufficient resources of cash they were enabled to pass notes and to borrow money at 6 per cent. interest.—London Annual Register, 1781.

See further as to this bank, *supra*, Morris to Congress, May 17, June 11 (circular), 21, 1781; Franklin to Morris, Nov. 5, 1781.

† MSS. Dep. of State.

made in time for discharging the protests with honor. The friendly disposition towards us continues; but we should take care not to impose too much upon friendship. Let us exert vigorously our own strength. I see yet no prospect of peace this summer. The expense of the war to France itself is heavy; and we have had of her this last year more than twenty millions.

I am ever, with great esteem, sir, your most obedient and most humble servant.

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Livingston to Adams.\*

PHILADELPHIA, *January 9. 1782.*

DEAR SIR: I write merely to put you on your guard against any falsehood the enemy may think it necessary to publish about the time of opening their budget. All is well here. There has been no action to the southward. Many of the tories in North Carolina, enraged at being deserted, have joined our army, and, as is said, executed some of their leaders. The enemy have drawn all their troops into Charleston, and our advanced parties are as low down as Haddell's Point.

I congratulate you upon the brilliant expedition of the Marquis de Bouillé. It does him the highest honor, and his subsequent conduct forms such a contrast to that of the English as must, I should suppose, have great influence upon the minds of the people with you, and forward your negociations. The one fighting to oppress and enslave a free people, the other to establish their rights; the one attempting to tyrannize over the ocean and fetter the commerce of the world, the other resisting that tyranny, and rendering trade as free as nature made it; the one insulting, plundering, and abusing an old friend, an ally, in the midst of profound peace, the other extending in war mercy to their bitterest enemies, and marching to conquest with domestic peace in their train; the one burning defenceless towns and peaceful villages, where they have been hospitably entertained, the other guarding from violence with scrupulous attention the firesides of their inveterate foes; the one murdering in cold blood, or more cruelly by want and misery in prison ships, those who speak the same language, profess the same religion, and spring from the same ancestors, the other, forgetting difference of religion, language, and hereditary enmity, spare the vanquished, administer to their wants, offer consolation to their distress, and prove more by their conduct than by their professions that they are armed in the cause of humanity. The one, without regard to truth or decency, boasts of victories never gained, and ostentatiously exaggerates the little advantages which superior number have sometimes given, while the other leaves the debility of their enemy to express the brilliancy of their actions. The one—but I should never have done if I were

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\* MSS. Dep. of State: 3 Sparks' Dip. Rev. Corr., 527.

to mark the points in which the British differ from a brave, humane, and polished nation. The recapture of St. Eustatia, in all its circumstances, and the disgraceful defence of Yorktown, prove that they are no longer the people we once thought them ; if ever they were brave and generous they have lost those virtues with the spirit of freedom. Adieu, my dear sir ; may your exertions in the cause of your country be attended with all the success they merit.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Adams to the President of Congress.\*

AMSTERDAM, *January* 14, 1782.

SIR : Having received the advice of several gentlemen, members of the States, and also the opinion of the Duc de la Vauguyon and the Count de Vergennes, I went to The Hague on Tuesday, the 8th day of this month, and the next morning, at ten, waited on the president of their high mightinesses, M. Van der Sandheuvel, of Dort, a city of Holland, to whom I made a verbal requisition in the following words, French being the language of the court :

[Translation by Mr. Sparks.]

On the 4th of May last I had the honor of a conference with the president of their high mightinesses, in which I informed him that I had received a commission from the United States of America, with full powers and instructions to propose and conclude a treaty of amity and commerce between the United States of America and the United Provinces of the Netherlands. I had the honor in the same conference to demand an audience of their high mightinesses for the purpose of presenting my credentials and full powers. The president assured me that he would report everything that I had told him to their high mightinesses, so that the matter might be transmitted to the several members of the sovereignty, to be submitted to their deliberation and decision. I have not yet been honored with an answer, and for this reason I have the honor of addressing myself to you, sir, to demand from you, as I do demand, a categorical answer which I may transmit to my sovereign.

The president assured me that he would not fail to make report to their high mightinesses. After this I sent a servant to the grand pensionary, Bleiswick, to know at what hour I should have the honor of a little conversation with him. The answer returned to me, with the compliments of the grand pensionary, was that he was sick, unable to attend the assembly of the States, and to receive any visits at home from anybody ; but if my business was of a public nature, I might communicate it to his secretary, which would be as well as to himself. Upon this I requested M. Dumas to call upon the secretary and communicate my intentions to him, which he did.

I went next morning at ten to the secretary of their high mightinesses, M. Fagel, and communicated to him the step I had taken the day before,

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\* MSS. Dep. of State ; 3 Sparks' Dip. Rev. Corr., 528, with omissions and verbal changes ; 7 J. Adams' Works, 504.

who told me that he had already been informed of it, for that the president, according to his promise, had made his report to their high mightinesses; that it was true that the Baron de Lynden de Hemmen had made his report to their high mightinesses on the 4th of last May of my proposition to him, and that it had been forthwith taken *ad referendum* by all the provinces, but that no member of the sovereignty had yet returned any answer at all, either in the affirmative or negative; that my proposition of yesterday had in like manner been taken *ad referendum* by all the provinces, and that it was necessary to wait to see what answer they would give.

The secretary, who is perfectly well with the court, as his ancestors and family have been for a long course of years, and who is as complaisant to England as any man in this country, received me with perfect politeness, and when I took leave, insisted upon accompanying me through all the antechambers and long entries quite to my chariot door in the street, where he waited until we entered and drove off.

After this I went to the house of Dort, the pensionary of which city, M. Gyselaer, received me with confidence and affection; told me that all he could say to me in his public character was that he thanked me for the communication I had made to him, and would communicate it to the deputation and to the regency of his city, and that he hoped I should have as friendly an answer as I desired, for that he personally saw me with great pleasure, and very readily acknowledged my character and that of my country.

I went next, at the hour agreed on, to the house of Haerlem, where I was received by the whole deputation, consisting of two burgomasters, two schepins, and a pensionary. Here passed a scene which really affected my sensibility and gave me great pleasure. The five gentlemen were all aged and venerable magistrates, who received me with an affection and cordiality which discovered in their air and countenance the sincerity and satisfaction they felt in the word of their pensionary when he told me that they were only deputies; that by the constitution of Haerlem, like all the others in the republic, the sovereignty resided in their constituents, the regency; that they thanked me for the communication I had made to them, that they would communicate it to the regency of their city, and that, for themselves, they heartily wished it success; for that the United States, as sufferers for and defenders of the great cause of liberty, might depend upon the esteem, affection, and friendship of the city of Haerlem, and that they heartily wished a connexion between the two republics; and they congratulated us on the capture of Lord Cornwallis, to which we returned to them a congratulation for the recapture of St. Eustatia, and took our leave.

At the house of Leyden we were received by the pensionary, who told us he had the orders of his burgomasters to receive me, to thank me for the communication, and to promise to communicate it to their regency.



At the house of Rotterdam we were received by the whole deputation, consisting of two burgomasters, two schepins or judges, and the pensionary. We received thanks for the communication and a promise to lay it before the regency.

At the house of Gouda and the Brille the same reception and the same answer. At another house, where the deputies of five small cities lived together, the same answer. At the house where the deputies of Alcmacer and Enkhuisen reside we were received by the whole deputations, received the same answers, with the addition of professions of esteem and wishes that in time there might be a closer connexion between the two nations.

Thus I had been introduced to the ministers of the republic and to the deputies of all the cities of Holland except Amsterdam. In my messages to the deputations I had followed the order of the cities according to the rank they held in the confederation. I had sent to the house of Amsterdam in its course. The messenger the first time found only one of the burgomasters at home, M. Rendorp, who returned for answer that the gentlemen were not then together, but that they would send me word at what time they would receive me; but no answer came for a day or two. I sent again. The messenger found only the same burgomaster, who returned the same answer. On Friday morning, having no answer, I sent a third time. The answer from the same burgomaster was that the gentlemen were then setting off for Amsterdam, being obliged to return upon business, and could not then see me, but would send me word. Upon this I concluded to return to Amsterdam, too, and to make the communication there in writing to the regency; but reflecting that this step would occasion much speculation and many reflections upon Amsterdam, I desired M. Dumas to wait on M. Vischer, the pensionary who remained in town, and consult with him. The result was that I made my visit to the house of Amsterdam, and made the communication to M. Vischer, who received me like a worthy minister of the great city.

It may not be amiss to conclude this letter by observing that every city is considered as an independent republic. The burgomasters have the administration of the executive, like little kings. There is in the great council, consisting of the burgomasters and counsellors, a limited legislative authority. The schepins are the judges. The deputies are appointed by the regency, which consists of the burgomasters, counsellors, and schepins; and in the large cities the deputies consist of two burgomasters, two schepins or counsellors, and one pensionary. The pensionary is the secretary of state or the minister of the city. The pensionaries are generally the speakers upon all occasions, even in the assembly of the States of the province.

These operations at The Hague have been received by the public with great appearance of approbation and pleasure, and the gazettes and pamphlets universally cry against the mediation of Russia, and for an

immediate alliance with France and America. But the leaders of the republic, those of them I mean who are well intentioned, wish to have the two negotiations, that for peace under the mediation of Russia, and that for an alliance with France, Spain, and America, laid before the States and the public together, not so much with an expectation of accomplishing speedily an alliance with Bourbon and America, as with a hope of checking the English party and preventing them from accepting a peace with England, or the mediation of Russia to that end, upon dangerous or dishonorable terms. If it was in any other country I should conclude from all appearances that an alliance with America and France at least would be finished in a few weeks; but I have been long enough here to know the nation better. The constitution of government is so complicated and whimsical a thing, and the temper and character of the nation so peculiar, that this is considered everywhere as the most difficult embassy in Europe. But at present it is more so than ever; the nation is more divided than usual, and they are afraid of everybody—afraid of France, afraid of America, England, Russia, and the northern powers, and above all of the emperor, who is taking measures that will infallibly ruin the commerce of this country if they do not soon change their conduct.

I have the honor to be, &c.,

JOHN ADAMS.

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Morris to the Governor of Rhode Island.\*

OFFICE OF FINANCE, *January 14, 1782.*

SIR: The delegates of Rhode Island did me the honor to communicate your excellency's letter of the 24th of last month, directed to them. I have carefully considered that letter, and now, agreeably to my promise made to them, shall endeavor to convey my sentiments upon it to you. You mention, sir, that the assembly unanimously concluded that the sum of two hundred and sixteen thousand dollars called for by Congress to be so large as that it could not by any means be raised in specie, and you say further, that the scarcity of cash has become uncommonly great.

By the acts of Congress on that subject you will perceive the amount of taxes called for by the United States to be eight millions of dollars. I can not pretend to say that the apportionment has or has not been equal; but I am persuaded it is as nearly so as the information which could have been obtained would by any means admit. The whole sum, sir, however large it may appear, is very much short of our former annual expenditures; and I am sorry to add, that it is certainly short of what will be necessary, even with the strictest economy. I am compelled on this occasion to observe, that the want of credit is now materially felt. Other free nations find infinite relief from oppressive weight

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\* 6 Sparks' Dip. Rev. Corr., 412.

of taxation by anticipating the public revenue; but we, with every advantage from nature to prevent it, are obliged to bear now those burdens which ought in reason to be divided with succeeding generations. To obtain credit, we must provide funds amply sufficient, not only to pay the interest of all former debts, both foreign and domestic, but also sufficient to liquidate those which we may find it necessary in future to contract. These funds must be permanent, clear, sufficient, and at the disposition of Congress. Nothing short of that will answer the purpose.

In the mean time, the interest of our debt is as great as if such funds were given, and to pay that interest will cost as much to the people; but the complaints from every quarter, until it be provided for, do infinite injury. Whereas, if funds were granted, we might from time to time obtain loans, both at home and abroad, sufficient to defray a great portion of our annual expenditure. You will easily perceive what relief the people would feel from paying the interest instead of the principal. As to the want of money, your legislature must consider that there must always be such want from the very nature of things, because nothing gives to money its value but the universal desire of obtaining it; and, of consequence, the ease with which all the necessaries, conveniences, and luxuries of life are obtained in exchange for it. It is the value of money which has induced all wise nations to raise the supplies in coin rather than in produce, because there is nothing which so facilitates the economy of public resources. And the great object of a wise and just government is to reduce as low as possible the burdens which the people must bear for their own preservation, safety, and advantage. The want of money always has been and now is complained of throughout the United States. This want will, however, be soon remedied in some degree by the bank paper; and further, it must be remembered that as the public wants will call for an expenditure faster than the collection of taxes will take place, those taxes will by no means decrease the general circulating medium; and if that medium be, as it is said and as I really believe, deficient, commerce will continue, as at present, to increase it by the daily importation of specie from abroad.

The taking of specific supplies has by experience been found unequal to the object, and is extremely wasteful and expensive. Many articles produced in the several States, in themselves very valuable, will by no means admit of transportation, and even those which will admit of it can seldom be brought to the place where they must be consumed but at an expense which in many instances exceeds the original value.

I am convinced, nevertheless, that there is force in your observation on the propriety of expending within the State as much of the revenue drawn from it as can consist with the general interest of the Union. This, sir, must nevertheless depend in a great degree upon the cheapness with which your citizens will furnish such things as the public may want. While they industriously make and cheaply vend those things which the necessities of mankind require, they need not apprehend a

want of money ; for as, on the one hand, he will get most of a commodity who will give for it the most money, so, on the other, he will get the most money who will give for it the most of a commodity. Your honorable delegates inform me that many articles fit for our use, and in particular blankets and woolen stockings, are manufactured in your State, and can be afforded to the United States on good terms. If so, it is very probable that not only the revenue called for may be expended there, but even a greater sum. I will give orders to the clothier-general to make inquiries immediately as to the quantities and prices of articles proper for his department in your State, and to purchase, if they can be had upon proper terms.

As to making any agreement for specific articles, I can not undertake it, because I have already made contracts for most of the articles which we may want payable in money, and I am too distant to judge of prices ; nor is it possible for the human mind, in that complicated scene which engrosses every moment of my time, sufficiently to attend to such minute details. The business of government must be simplified in order that it may be well conducted, and to do this is with me a very principal object. Your excellency will perceive that I am authorised to appoint a receiver of the continental taxes within the several States, and I shall make the appointment within your State very speedily. I have every disposition to comply with your wishes, and will give such instructions to the receiver as that he may from time to time facilitate the views of the legislature and lighten the burdens of the people, which I sincerely assure your excellency is an object that lies nearest my heart.

I have the honor to be, &c.,

ROBERT MORRIS.

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Dumas to the President of Congress.\*

THE HAGUE, *January 15, 1782.*

SIR : According to my last, of the 7th instant, I went with Mr. Adams on the 9th to the president of their high mightinesses, to whom, his excellency having made his requisition, I repeated it, that the president might understand it exactly, in the same terms as are to be seen in the Leyden Gazette, here sent, where I have got them inserted, and he promised to make his report accordingly. After this, having received word from the grand pensionary of Holland, where we intended to go, that, being himself very sick, he could receive nobody but by the means of his secretary, I alone made the communication to the latter the same morning. The day following, being Thursday, we were received by M. Fagel, the graphiary of their high mightinesses, who, after

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\*MSS. Dep. of State ; 5 Sparks' Dip. Rev. Corr., 343, which version, paraphrasing the original, is here given.

I had read to him the requisition, told us "that the president had made report of it to the States-General, and that the deputies of *all* the Provinces had taken it *ad referendum*, to be transmitted to their several provinces; that the same had been done respecting the first report in May last, without any instruction being hitherto received about it; and, therefore, some patience more was necessary for a categorical answer."

The reception met with from the president and the said ministers was duly polite. From them we went round to the deputations of the eighteen cities of this Province now assembling here, who received us, without exception, with a very good-humored cordiality, thanking us for our kind communication, of which they promised to make report to their cities, and assuring us that they wished earnestly for a speedy establishment of amity and good harmony between both republics; to which several of them added, affectionately, that they loved the Americans.

JANUARY 17.

This morning those of Dort have loudly complained in the assembly of Holland of the disregard shown by the other Provinces, and even by part of this Province, to the common welfare, roundly declaring that they will not consent to the proposed mediation for a peace with Great Britain unless it should be agreed and resolved before to concert measures with France for carrying on the war, without any truce, till peace should be fairly concluded. The same city, with that of Leyden, I am assured, will soon insist also, in the assembly, upon due attention being paid to our requisition.

I have the honor to be, &c.,

DUMAS.

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**Morris to the President of Congress.\***

OFFICE OF FINANCE, *January 15, 1782.*

SIR: Finding by the act of the United States in Congress of the 7th instant that I am instructed to prepare and report a table of rates at which the different species of foreign coins most likely to circulate within the United States shall be received at the treasury, I have been induced again to turn my attention to an object which has employed my thoughts very frequently, and which would have been long since submitted to Congress had I not been prevented by other business, and much delayed by those things relating to this business which depended upon others. I shall now pray leave to deliver my sentiments somewhat at large on this subject.

The United States labor under many inconveniences, and even disadvantages, which may at present be remedied, but which, if suffered

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MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 415, with verbal changes and omissions.



to continue, would become incurable and lead to pernicious consequences. It is very fortunate for us that the weights and measures used throughout America are the same. Experience has shown in other countries that the efforts of the legislator to change weights and measures, although fully seconded by the more enlightened part of the community, have been so strongly opposed by the popular habits and prejudices, that ages have elapsed without producing the desired effect. I repeat, therefore, that it is happy for us to have throughout the Union the same ideas of a mile and an inch, a hogshead and a quart, a pound and an ounce. So far our commercial dealings are simplified and brought down to the level of every capacity.

With respect to our money the case is very widely different. The ideas annexed to a pound, a shilling, and a penny are almost as various as the States themselves. Calculations are, therefore, as necessary for our inland commerce as upon foreign exchanges; and the commonest things become intricate where money has anything to do with them. A farmer in New Hampshire, for instance, can readily form an idea of a bushel of wheat in South Carolina, weighing sixty pounds, and placed at one hundred miles from Charleston; but if he were told that in such situation it is worth twenty-one shillings and eight pence, he would be obliged to make many inquiries and form some calculations before he could know that this sum meant in general what he would call four shillings; and even then he would have to inquire what kind of coin that four shillings was paid in before he could estimate it in his own mind according to the ideas of money which he had imbibed. Difficulties of this sort do not occur to farmers alone. They are perplexing to most men and troublesome to all. It is, however, a fortunate circumstance that money is so much in the power of the sovereign as that he can easily lead the people into new ideas of it, and, even if that were not the case, yet the loose state in which our currency has been for some years past has opened the way for receiving any impressions on that subject.

As we are now shaking off the inconveniences of a depreciating medium, the present moment seems to be that in which a general currency can best be established, so that in a few months the same names of money will mean the same things in the several parts of the United States.

Another inconvenience, which admits of the same easy remedy, and which would indeed be cured by the very same act, is the want of a legal tender. This is as necessary for the purposes of jurisprudence as a general currency is for those of commerce. For although there is great impropriety, not to say injustice, in compelling a man to receive a part of his debt in discharge of the whole, yet it is both just and proper that the law should protect the honest debtor who is willing to pay against the vexatious suits of an oppressive creditor who refuses to receive the full value.



The nature, value, and use of money have always occasioned strong temptations to the commission of fraud, and, of consequence, the practice of counterfeiting is coeval with that of coining. No government can guard its subjects entirely against the wicked ingenuity which has been exercised in this respect. But it has always been the object of every wise government to take all the precautions against it which are within the compass of human ability. These precautions will be most effectual where the coins are [few and simple, because they by that means become familiar to all ranks and degrees of men; but when the coins are]\* so numerous that the knowledge of them is a kind of science, the lower order of citizens are constantly injured by those who carry on the business of debasing, sweating, clipping, counterfeiting, and the like. It is therefore to be lamented that we have so many different coins in the United States.

It is not necessary to mention what is in everybody's mouth, that the precious metals were first used as bullion, and that the inconvenience of weighing and the difficulty of assaying, introduced the practice of coining, in order that the weight and fineness might be known at the first view, and, of consequence, the value be instantly ascertained. It is equally unnecessary to observe that the great privilege of declaring this value by particular marks has among all nations been vested exclusively in the sovereign. A trust so important could not indeed be vested anywhere else; because the danger of abusing it was too great. And history informs us that sovereigns themselves have not on this occasion behaved with that integrity which was alike due to their subjects and to themselves, to the interests of their people, and to their own personal glory. Experience has already told us that the advantage of gold as a coin is in this country very considerably diminished, for every distinct piece must be weighed before it can be safely received. Both gold and silver coins are indeed preferable in one respect to common bullion, that the standard is presumed to be just, and consequently they are received without the delays and expenses of assaying. It must, however, be remembered that they are all foreign coins, and of course we are not only exposed to the tricks of individuals, but, should it suit the interest or convenience of any sovereign to make base money for us, there is nothing to prevent it. If, for instance, the King of England, or any of his Birmingham artists, should coin guineas worth but sixteen shillings sterling, our citizens would readily and freely receive them at twenty-one shillings sterling. It is my duty to mention to Congress information I have received that guineas of base metal are coined at Birmingham so well as to escape any common attention. Now, there can be no doubt but that every such guinea received here would be a national loss to us of an English crown. How much we suffer in this way at present it is impossible to estimate.

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\* Passage in brackets omitted in Sparks' ed.

What I have already had the honor to observe contains some of the reasons why it appears to me highly necessary that an American coin should be adopted without delay ; and to these reasons may be added that there is a want of small money for the common occasions of trade, and that it is more felt by our soldiery than any other persons. For the little pay which they do receive being either in gold, or at best in dollars, the sutlers and others with whom they have dealings continually take the advantage of their want of change, and rate the prices of their goods accordingly.

Shortly after my appointment, finding that there was a considerable quantity of public copper at Boston, I ordered it round to this place. It has safely arrived, and will, when coined, amount to a considerable sum. The necessary machinery of a mint can be easily made, and there are persons who can perform the whole business. I must pray leave, therefore, to submit to Congress some few more particular remarks on this subject as introductory to a plan for an American coin.

Although most nations have coined copper, yet that metal is so impure that it has never been considered as constituting the money standard. This is affixed to the two precious metals, because they alone will admit of having their intrinsic value precisely ascertained. But nations differ very much in the relation they have established between gold and silver. In some European countries an ounce of pure gold passes for fifteen ounces of pure silver. In others for fourteen. In China it passes for much less. The standard, therefore, which is affixed to both metals is in reality affixed to neither. In England gold is to silver nearly in the proportion of one to fifteen, and in France nearly of one to fourteen. If a man carries fourteen ounces of gold from France to England, he receives two hundred and ten ounces of silver, which in France purchases fifteen ounces of gold. So that he gains on that exchange one ounce of gold. In like manner he who carries from England fourteen ounces of silver to France receives one ounce of gold, which in England purchases fifteen ounces of silver : wherefore he gains on that exchange one ounce of silver. If it be then supposed that the coins of these two countries were alike pure, it must follow that in a short time all the gold coin of full weight would be in England, and all the silver coin of full weight in France. But the light silver circulating in England, and the light gold in France, the real standard of coin in each would be different from the legal, and seek a medium of fourteen and a half of silver for one of gold, although the legal standard might still be in the one place fifteen and in the other fourteen.

The demand which commerce might make for any one of the precious metals in preference of the other would vary this real standard from time to time, and in every payment a man would get more or less of real value for his debt, according as he were paid in the coin of greater or less value in relation to the real standard. If, for instance, the debt

were contracted when the silver was to gold as one to fifteen and paid when as one to fourteen; if the debt were paid in silver he would gain one-thirtieth, and if in gold he would lose one-thirtieth. In England the money standard is rather affixed to gold than to silver, because all payments are made in the former; and in France it is rather affixed to silver than to gold.

Arguments are unnecessary to show that the scale by which everything is to be measured ought to be as fixed as the nature of things will permit of. Since, therefore, a money standard affixed to both the precious metals will not give this certain scale, it is better to make use of one only. Gold is more valuable than silver, and so far must have the preference. But it is from that very circumstance the more exposed to fraudulent practices. Its value rendering it more portable is an advantage, but it is an advantage which paper possesses in a much greater degree, and of consequence the commercial nation of England has had recourse to paper for the purposes of its trade, although the mass of circulating coin is gold. It will always be in our power to carry a paper circulation to every proper extent. There can be no doubt, therefore, that our money standard ought to be affixed to silver.

But silver is liable, like everything else, to a change of value. If there is a demand for it to export the value will rise; if the contrary, it will fall; and so far it can not be considered as a fixed measure of value. Before this objection be considered it will be proper to make a few reflections on another part of the present subject; but in this place I remark that if the objection can not be removed we must not suffer it to be preponderate, because it weighs alike against every other metal.

To coin money is a certain expense, and, of course, it is an expense which must be borne by the people. In England the coin when melted will sell as bullion for just as much as its weight in other coin. The expense of coinage is paid by the crown, and, of course, it is raised by taxes from the people. In France the coinage, instead of being expensive, yields a profit. The price given for metal at the mint is about eight per cent. less than the same quantity will yield when coined at the French standard. Both of these methods are liable to objections. When commerce demands an exportation of bullion from England the coin of the kingdom goes out in common with others. This increases, of course, the national expense of coinage. Laws to prevent the exportation or importation of anything so valuable as money are always nugatory, because they always *can* be eluded, and, therefore, when private interest requires it they always *will* be eluded. That the guineas of England, therefore, are not continually going away is to be attributed to the extraordinary value affixed to gold which has just been mentioned, and which banishes silver continually. In France the people are not liable to this inconvenience, because, their money passing for more than its value in bullion, bullion will always be exported in preference to coin. But, for the same reason, there is always a strong

temptation to imitate their coin and send it for the purchase of their commodities. It would be both impossible and unnecessary to distinguish the true from the false, because both would be of equal intrinsic value. The place at which they were struck would be indifferent to the receiver. Of consequence the foreigner who made French coin would gain by his trade and the French nation would lose proportionately.

The money paid for coining, or the coinage of France, has, however, this advantage, that the money is a standard which does not fluctuate with the price of bullion. This coinage is, as has been said, about eight per cent. When bullion is below ninety two it is carried to the mint; when above ninety-two, to the broker or silversmith. The coin still continues fixed, nor will it bear exportation until bullion rises to a hundred, when the French coin would be as liable to exportation as the English. In that case it would be exported on one hand, while on the other no more would have been coined for a considerable period, because to make the eight per cent. coinage it is necessary that the mint price should be ninety-two. The coin, therefore, could not long be exported, if at all, but would soon resume its value. The price of bullion must float between ninety-two and a hundred, while the coin would preserve its fixed quality as money.

Hence, then, it appears proper that the price of coining should be defrayed by the coinage; because, first, it is natural and proper that the price should be paid when the benefit is received, and that the citizen, in return for the advantage of being ascertained in the value of the medium of commerce by the sovereign, should pay for ascertaining it, just as that he should pay for the fashion of the plate he uses or the construction of the cart he employs. Secondly, it is right that money should acquire a value as money, distinct from that which it possesses as a commodity, in order that it should be a fixed rule whereby to measure the value of all other things. And, thirdly, it is wise to prevent the exportation of the coin, which would involve an unnecessary national expense, and also to prevent the imitation of it abroad, so as to create a national loss. For both of which purposes it is proper that the coinage should only defray the expense, without making any considerable profit. The laws usual in all countries with respect to the money will then fully operate the effect intended.

In order that a coin may be perfectly intelligible to the whole people, it must have some affinity to the former currency. This, therefore, will be requisite in the present case. The purposes of commerce require that the lowest divisible point of money, or what is more properly called the money unit, should be very small, because by that means price can be brought in the smallest things to bear a proportion to the value. And although it is not absolutely necessary, yet it is very desirable, that money should be increased in decimal ratio, because by that means all calculation of interest, exchange, insurance, and the like, are ren-

dered much more simple and accurate, and, of course, more within the power of the great mass of the people. Wherever such things require much labor, time, and reflection, the greater number who do not know are made the dupes of the smaller number who do.

The various coins which have circulated in America have undergone different changes in their value, so that there is hardly any which can be considered as a general standard, unless it be Spanish dollars. These pass in Georgia at five shillings, in North Carolina and New York at eight shillings, in Virginia and the four eastern States at six shillings, and in all the other States except South Carolina, at seven shillings and six pence, and in South Carolina at thirty-two shillings and six pence. The money unit of a new coin to agree, without a fraction, with all these different values of a dollar, excepting the last, will be the fourteen hundred and fortieth part of a dollar, equal to the sixteen hundredth part of a crown. Of these units, twenty-four will be a penny of Georgia, fifteen will be a penny of North Carolina or New York, twenty will be a penny of Virginia and the four eastern States, sixteen will be a penny of all the other States except South Carolina, and forty-eight will be thirteen pence of South Carolina.

It has already been observed that to have the money unit very small is advantageous to commerce; but there is no necessity that this money unit be exactly represented in coin; it is sufficient that its value be precisely known. On the present occasion two copper coins will be proper, the one of eight units, and the other of five. These may be called an eight and a five. Two of the former will make a penny proclamation or Pennsylvania money, and three a penny Georgia money. Of the latter, three will make a penny New York money, and four a penny lawful Virginia money. The money unit will be equal to a quarter of a grain of fine silver in coined money. Proceeding thence in a decimal ratio, one hundred would be the lowest silver coin, and might be called a *cent*. It would contain twenty-five grains of fine silver, to which may be added two grains of copper, and the whole would weigh one pennyweight and three grains. Five of these would make a *quint*, or five hundred units, weighing five pennyweight and fifteen grains; and ten would make a *mark*, or one thousand units, weighing eleven pennyweight and six grains.

If the mint price of fine silver be established at twenty-two thousand two hundred and thirty-seven units per pound, this being coined would be four times five thousand seven hundred and sixty grains, or twenty-three thousand and forty units. The difference is eight hundred and three units, and therefore the coinage is eight hundred and three, or twenty-three thousand and forty, or somewhat more than three forty-eight one hundred per cent., which would be about the expense attending it. A dollar contains, by the best assays which I have been able to get, about three hundred and seventy-three grains of fine silver, and that, at the mint price, would be fourteen hundred and forty units. In

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like manner, if crowns contain from four hundred and fourteen to four hundred and fifteen grains of fine silver, they would at the mint price be worth sixteen hundred units.

When such a coin shall have been established, the value of all others would be easily ascertained, because nothing more would be necessary than to have them assayed at the mint. The advantage of possessing legal money in preference of any other, would induce people to carry foreign coin to the mint until a sufficiency were struck for the circulating medium. The remainder of the foreign silver, together with the gold, should be left entirely to the operations of commerce as bullion.

In the present moment it is by no means of such consequence to establish the relative value of different coins as to provide a standard of our own by which in future to estimate them. If the value were now sought they must all be estimated in dollars, because dollars are called for in the several requisitions of Congress. Without noticing the preference thus given of one coin over another, it is sufficient to observe that if a greater alloy should be introduced by the Spanish Government into their dollars our interior regulations as to money would be overturned; and certainly we have no security that this will not happen. There is not any great inconvenience in leaving matters on their present footing until they can be remedied by the operations of a mint; for it is not to be supposed that all the money raised by taxes in a State is to be brought out of it. I expect that there will be very little occasion to transport money from place to place. It is much easier to negotiate than to carry it; and if any species of money is generally received within a State at the same rate in which it is paid in taxes, there will be no difficulty in expending it at its value. Whenever money shall be struck by authority of the United States, then indeed it will be proper to receive in taxes no other coin.

If Congress are of opinion with me that it will be proper to coin money, I will immediately obey their orders and establish a mint. And I think I can say with safety that no better moment could be chosen for the purpose than the present; neither will anything have a greater tendency to restore public credit; for although it is possible that the new money will at first be received with diffidence by some, yet when it has been fairly assayed it will gain full confidence from all, and the advantage of holding the only money which can pay debts or discharge taxes will soon give it the preference over all, and indeed banish all other from circulation. Whereas fixing a relation of value now, on whatever principles attempted, might give offence to the power whose coin should in any instance be reduced from its present numerary value among us.

These sentiments are submitted, with all possible deference, to the United States in Congress assembled, in expectation of their further instructions on the subject.

With great respect, I have the honor to be, &c.,

ROBERT MORRIS.



J. Adams to the President of Congress.\*

AMSTERDAM, *January* 15, 1782.

SIR: The following note was presented to the Secretary Fagel by the Prince Gallitzen, and by the secretary to the assembly of their high mightinesses, the 10th of this month:

“Her Imperial majesty of all the Russias having reflected upon the loss of time which is occasioned by a correspondence relative to complaints formed by the subjects of neutral powers, her allies, concerning the vexations and violations which they may suffer sometimes in their commercial navigation, has perceived that it will be essential to provide the ministers of the allied powers with instructions sufficient for all cases of this nature. To this effect her Imperial majesty has thought fit to propose also to their high mightinesses the necessity and utility of general orders and instructions upon this object, with which they ought to provide their ministers residing near the belligerent powers. Her Imperial majesty is even of opinion that it will be indispensably necessary to detail the instructions in question in a manner so ample, that the ministers may never be reduced to wait for ulterior orders; but, on the contrary, that in all cases of this nature they may be authorised to sustain each other efficaciously in their complaints and operations in making a common cause and interesting themselves without hesitation in the first complaints of the respective subjects of their sovereigns who claim their assistance.

“Her Imperial majesty has already exerted herself to despatch to her ministers residing at the belligerent courts the necessary instructions to this effect. Certainly none of them will fail to contribute to the good of the common cause, conformably to mutual engagements, and to that which her Imperial majesty has caused to be proposed to her other allies.”

I have transmitted this, as well as all other state papers relative to the maritime confederation, because I hope it will be finally established, as it appears to be for the good of mankind in general and of the United States in particular. The Dutch are so attached to it that I think they will not give it up, and if the empress has it sincerely at heart she will not consent that the Dutch should relinquish it.

I have the honor to be, &c.,

JOHN ADAMS.

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 532.

Franklin to Hartley.\*

PASSY, *January 15, 1782.*

DEAR SIR: I received a few days since your favor of the 2d instant, in which you tell me that Mr. Alexander had informed you "America was disposed to enter into a separate treaty with Great Britain." I am persuaded that your strong desire for peace has misled you, and occasioned your greatly misunderstanding Mr. Alexander, as I think it scarce possible he should have asserted a thing *so utterly void of foundation*. I remember that you have, as you say, often urged this on former occasions, and that it always gave me more disgust than my friendship for you permitted me to express. But since you have now gone so far as to carry such a proposition to Lord North as arising from us, it is necessary that I should be explicit with you and tell you plainly that I never had such an idea, and I believe there is not a man in America, a few English *Tories* excepted, that would not spurn at the thought of deserting a noble and generous friend for the sake of a truce with an unjust and cruel enemy.

I have again read over your conciliatory bill, with the manuscript propositions that accompany it, and am concerned to find that one can not give vent to a simple wish for peace, a mere sentiment of humanity, without having it interpreted as *a disposition to submit to any base conditions* that may be offered us rather than continue the war; for on no other supposition could you propose to us a truce of ten years, during which we are to engage not to assist France while you continue the war with her. A truce, too, wherein nothing is to be mentioned that may weaken your pretensions to dominion over us, which you may therefore resume at the end of the term or at pleasure; when we should have so covered ourselves with infamy by our treachery to our first friend, as that no other nation can ever after be disposed to assist us, however cruelly you might think fit to treat us. Believe me, my dear friend, America has too much understanding, and it is too sensible of the value of the world's good opinion, to forfeit it all by such perfidy. The Congress will never instruct their commissioners to obtain a peace on such ignominious terms; and though there can be but few things in which I should venture to disobey their orders, yet, if it were possible for them to give me such an order as this, I should certainly refuse to act; I should instantly renounce their commission, and banish myself forever from so infamous a country.

We are a little ambitious, too, of your esteem; and as I think we have acquired some share of it by our manner of making war with you, I trust we shall not hazard the loss of it by consenting mealy to a dishonorable peace.

Lord North was wise in demanding of you some authorised acknowledgment of the proposition from authorised persons. He justly thought

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\* 2 Sparks' Dip. Rev. Corr., 204; 7 Bigelow's Franklin, 360.

it too improbable to be relied on, so as to lay it before the privy council. You can now inform him that the whole has been a mistake, and that no such proposition as that of a separate peace has been, is, or is ever likely to be made by me, and I believe by no other authorised person whatever, in behalf of America. You may further, if you please, inform his lordship that Mr. Adams, Mr. Laurens, Mr. Jay, and myself have long since been empowered by a special commission to treat of peace whenever a negociation shall be opened for that purpose; but it must always be understood that this is to be in conjunction with our allies, conformably to the solemn treaties made with them.

You have, my dear friend, a strong desire to promote peace, and it is a most laudable and virtuous desire. Permit me, then, to wish that you would, in order to succeed as a negociator, avoid such invidious expressions as may have an effect in preventing your purpose. You tell me that no stipulation for our independence must be in the treaty, because you “verily believe, so deep is the jealousy between England and France, that England would fight for a straw to the last man and the last shilling rather than be *dictated to* by France.” And again, that “the nation would proceed to every extremity rather than be brought to a formal recognition of independence at the *haughty command* of France.” My dear sir, if every proposition of terms for peace that may be made by one of the parties at war is to be called and considered by the other as *dictating* and a *haughty command*, and for that reason rejected, with a resolution of fighting to the last man rather than agree to it, you see that in such case no treaty of peace is possible.

In fact we began the war for independence on your government, which we found tyrannical, and this before France had anything to do with our affairs; the article in our treaty whereby the “two parties engage that neither of them shall conclude either truce or peace with Great Britain without the formal consent of the other first obtained, and mutually engage not to lay down their arms until the independence of the United States shall have been formally or *tacitly* assured by the treaty or treaties that shall terminate the war,” was an article inserted at our instance, being in our favor. And you see by the article itself that your great difficulty may be easily got over, as a formal acknowledgment of our independence is not made necessary. But we hope, by God’s help, to enjoy it; and I suppose we shall fight for it as long as we are able.

I do not make any remarks upon the other propositions, because I think that unless they were made by authority, the discussion of them is unnecessary, and may be inconvenient. The supposition of our being disposed to make a separate peace I could not be silent upon, as it materially affected our reputation and its essential interests. If I have been a little warm on that offensive point, reflect on your repeatedly urging it, and endeavor to excuse me. Whatever may be the fate of

our poor countries, let you and me die as we have lived, in peace with each other.

Assuredly I continue, with great and sincere esteem, my dear friend,  
yours, most affectionately,

B. FRANKLIN.

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Franklin to Jay.\*

PASSY, *January 15, 1782.*

DEAR SIR: Mr. Grand tells me that he hears from Madrid you are uneasy at my long silence. I have had much vexation and perplexity lately with the affair of the goods in Holland, and I have so many urgent correspondences to keep up that some of them at times necessarily suffer. I purpose writing fully to you next post. In the mean time I send the enclosed for your meditation. The ill-timed bills, as you justly term them, do us infinite prejudice; but we must not be discouraged.

I am ever, with the greatest esteem, etc.,

B. FRANKLIN.

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J. Adams to the President of Congress.†

AMSTERDAM, *January 16, 1782.*

SIR: The following verbal insinuation made by the Baron de Noleken, envoy of Sweden at London, to my Lord Stormont, the 31st of August, 1781, is of importance to show the intentions of the maritime confederacy:

The king has no occasion at this time to declare the principles which have determined his conduct from the time when he ascended the throne of his ancestors. He has been guided by the love of peace; and he would have wished to see all the powers of Europe enjoy the same happiness, equally constant and durable. These wishes, dictated by the sentiments of humanity which are natural to him, have not been satisfied. The flames of war, enkindled in another hemisphere, have communicated themselves to Europe, but the king still flattered himself that this conflagration would not pass the bounds to which it was confined, and above all that a nation merely commercial, which had announced a neutrality as an invariable foundation of her conduct, would not be involved in it. Nevertheless the contrary has happened almost at the very moment when this power had contracted the most innocent engagements with the king and his two allies in the north.

If a neutrality the most exact, which was ever observed, has not been able to warrant the king from feeling at first the inconveniences of the war by the considerable losses which were sustained by his trading subjects, by a stronger reason he was able to foresee the vexatious consequences when these disorders should become more extensive, when an open war between Great Britain and the republic of Holland should multiply them; finally, when the commerce of neutrals was about to suffer new shackles by the hostilities which were to be committed between these two powers. Ac-

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\* MSS. Dep. of State; 9 Sparks' Franklin, 145; 7 Bigelow's Franklin, 363.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 533, with verbal changes.

cordingly the king did not fail soon to perceive it, and sincerely to wish that the measures taken by the Empress of Russia for extinguishing in its beginning the flame of this new war had been followed with a perfect success. But as this salutary work has not been carried to perfection, the king has resolved to join himself to his allies, the Empress of Russia and the King of Denmark, to endeavor to dispose his Britannic majesty to adopt those pacific sentiments which their high mightinesses the States-General have already manifested by their consent to open a negociation of peace.

If such were the dispositions of this monarch, as it ought not to be doubted, it seems that a suspension of hostilities should be a preliminary, by so much the more essential to their accomplishment, as military operations necessarily influencing a negociation of this nature would only serve to embarrass and to prolong it, while the allied courts would not wish for anything so much as to be able to accelerate it by all the means which might serve for the satisfaction and advantage of the two belligerent parties. In the sincerity and the rectitude of the intentions which animate his majesty as well as his allies, he can not conceal the apprehension he is in with regard to the continuation of the war, from whence may arise vexatious incidents, capable of exciting all sorts of wrangles and most disagreeable disputes.

This motive, and still more that of preventing a still greater effusion of blood, are proper to operate upon the heart of the King of Great Britain; and in the entire confidence which his majesty places in it, he would feel a real satisfaction if by his good offices and by his mediation, joined to that of his allies, he could succeed in terminating the differences which have arisen between his Britannic majesty and the States-General of the United Provinces.

They write from Stockholm that the court of London has thought proper to make representations to that of Sweden concerning the rencounter which a convoy of merchant ships, under the escort of the Swedish frigate the *Jaramas*, had with the English squadron of Commodore Stewart, who would have visited these merchant ships. The court of London pretends that she was authorised to make such a visit even in virtue of the articles of the convention of the armed neutrality concluded between the three powers of the north; but that the court of Stockholm, far from blaming the refusal of the captain of the *Jaramas* to permit the visit, had highly approved his conduct, and answered "that this officer had acted conformably to his duty; for that the regulation in one of the articles of the convention of the armed neutrality in regard to the visits of merchant ships respected only the vessels which navigated without convoy, but not at all those which should be found under convoy, and consequently under the protection of a sovereign flag (pavillon), the warranty of the nature of their cargo, and of the property."

PETERSBURGH, *December 14, 1781.*

The minister of Sweden having communicated, by express order of the king, his master, to our court the complaints which that of London had made concerning the rencounter of the Swedish frigate the *Jaramas* with the squadron of Commodore Keith Stewart, as well as the answer which had been given to those complaints, the vice-chancellor, the Count d'Ostermann, declared the day before yesterday to this minister "that her Imperial majesty highly approved the answer of the court of Stockholm, and found it in all points conformable to the principle which she herself would follow in a parallel case. In consequence, if, contrary to all appearance, the court of London should not be satisfied with it, and should pretend to be able to visit neutral

merchant ships which should be found under the protection of the king, or under that of the sovereign flag of one of the allies, her Imperial majesty would be always ready to concur and to co-operate with his Swedish majesty and the other allies to oppose themselves to it, as well as to maintain the independence and respect due to their respective flags." At the same time, orders have been sent to all the ministers of the empress at the belligerent powers that "in case there should arise just complaints or difficulties with relation to the detention, the capture, the carrying off, or the ill treatment which merchant ships navigating under the flag of this empire, or under that of one of the allies of the convention of neutrality, shall have suffered from ships of war or armed vessels of one or another of the belligerent powers, to make at first, in such case, every one in his place, the necessary representations and requisitions for reclaiming the said vessels, the reparation of losses, &c., and concur and concert to this effect with the other ministers of the contracting courts, without asking or waiting for further orders. The allied courts will be requested, moreover, to like the orders to their respective ministers residing near the belligerent powers." A courier despatched this day to The Hague and to London carries these orders to the ministers of the empress, as well as the acts of accession of the emperor to the principles of the convention of neutrality. The day before yesterday, the usual day of the conferences with the vice-chancellor, he communicated the same acts to the foreign ministers.

With great respect, I have the honor to be, &c.,

JOHN ADAMS.

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Dana to Ellery.\*

ST. PETERSBURGH, *January 17, 1782.*

SIR: The Empress you know formerly proposed to mediate between Britain and Holland, which was declined by the former, as she could not enter upon a partial mediation, for the reasons she then assigned; since which time the joint mediation has been tendered by the two imperial courts between all the belligerent powers, which has issued unsuccessfully. Finally her Imperial majesty and the Kings of Sweden and Denmark jointly tendered their mediation between Britain and Holland. Britain has declined to accept that of the kings in conjunction with the empress, but has agreed to accept her sole mediation. This is at present on foot. A Russian minister has very lately gone or will soon set off for Holland to join Prince Gallitzen in this business, which I prognosticate will issue as fruitlessly as the general mediation has done. There is no peace to be had in Europe separate from that of our country, which already too sensibly affects the European systems to be overlooked or disregarded by those who have the adjustment of them.

Notwithstanding the material change which our Revolution has wrought in their old systems, which is felt somehow by all the politicians of Europe, yet they seem some of them not to be sufficiently acquainted with the real nature of it. Hence that strange fluctuation or indecision in some cabinets; at least this is the best apology I can

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\* 4 Sparks' Dip. Rev. Corr., 604.



make for it. Sweden, it appears to me, acts as consistent a part as any power. She maintains her rights as a neutral nation by constantly convoying her trade, and is besides wisely reaping the benefits of the American commerce by silently and gradually admitting our vessels into her ports and permitting our countrymen to purchase there everything they want, and to depart when and where they please. If this country would adopt the same system in every respect they would soon see the happiest effects from it. At present Sweden is making considerable profits by being the depot of Russian manufactures for our use.

I wish this country had a more commercial turn. We should then soon see a direct communication between the two countries opened and established, to the great benefit of both. But a free trade between them will meet with other obstacles. I am apprehensive not one of the maritime powers of Europe will aid us in our attempts to effect this, but that, on the contrary, Britain, Holland, Denmark, and Sweden will all at least secretly be opposing us. They well know this country has no navigation of its own, comparatively speaking; if, therefore, by various suggestions, they can excite a jealousy respecting the commerce of our country rivalling this in all the markets of Europe, a sentiment, however groundless, which I am persuaded has made a considerable impression here, they will flatter themselves they shall each share a proportion of the benefits of an intervening commerce. Nothing, you will readily perceive, is to be expected here while the business of mediation is kept up.

I am, &c.,

FRANCIS DANA.

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Livingston to the President of Congress.\*

PHILADELPHIA, *January* 18, 1782.

SIR: I do myself the honor to submit to the inspection of the United States in Congress an affidavit made by Mr. Marshall on the subject of Mr. Deane's letters, and have directed copies of the letters and affidavit to be made out for the minister of his most Christian majesty and the superintendent of finance. Measures have long since been taken to put our ministers upon their guard against Mr. Deane. I shall add to them, as opportunities offer, the new proofs which these letters furnish of his defection. Copies will also be sent to the governor of Connecticut, unless the Honorables the representatives of that State in Congress, who propose to make them the ground of judicial proceedings, should prefer taking copies to be examined and compared with the original by some person who could prove such examination, or to authenticate them in any other way which will insure their being received as evidence conformably to the practice of their courts.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 152, with verbal changes.

I had proposed to mention them in my correspondence with the first magistrates of the respective States as affording proofs of the distant prospect of peace, and the necessity of relying only upon our own exertions to procure it, but am deterred from this measure by the weight which it might possibly give to Mr. Deane's ill-founded assertions.

I shall endeavor to conform to the views of the United States in any further directions with which they may please to honor me.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Franklin to Vergennes.\*

PASSY, *January 18, 1782.*

SIR: I received the letter your excellency did me the honor of writing to me this day, enclosing a memorial, which relates to the interests of some subjects of the emperor residing at Ostend, who allege that a ship of theirs has been taken by an American privateer, and carried into Boston, on pretence that the property was English, &c. I shall immediately transmit the memorial to Congress, as desired. But there being courts of admiralty established in each of the United States, I conceive that the regular steps to be taken by the complainants would be an application for justice to those courts by some person on the spot, duly authorised by them as their agent, and in case the judgment of the court is not satisfactory, that then they appeal to the Congress, which can not well take cognisance of such matters in the first instance.

The merchants of Ostend may possibly not have as yet correspondents established in all the States, but any merchant of credit in the country would transact such business on receiving their request, with the proper power of attorney; or, if his Imperial majesty should think fit to appoint a consul-general to reside in those States, such an officer might at all times assist his compatriots with his counsels and protection in any affairs that they might have in that country. I am the more particular in mentioning this to your excellency, because I apprehend these cases may hereafter be frequent, and if the complaints are to be addressed to you and me, we are likely to have a great deal of trouble, as I am informed that it is become a daily practice for outward-bound English ships to put into Ostend, make a formal pretended sale of ship and cargo to a merchant of the place, who furnishes imperial papers for the voyage under his own name, and receives a certain sum per cent. for the operation.

This is said to be a branch of great profit to the Flemish merchants, and that a very great number of English ships are now at sea with such papers; and I suspect even now, from their own manner of stating the transaction, that the ship and cargo reclaimed by the complainants

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 206.

are of that kind. This seems to me an abuse of the neutrality; as these fictitious profits are added to the advantage of real carriage for the belligerent nations, they make it too much the interest of neutral neighbors to foment wars and obstruct peace that such profits may continue. And if it is to be understood as a settled point that such papers are to protect English property, the fitters-out of privateers from France, Spain, Holland, and America will in another year be all ruined, for they will find none but Flemish ships upon the ocean.

With the greatest respect, &c.,

B. FRANKLIN.

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Franklin to Mr. and Mrs. Bache.\*

PASSY, *January 19, 1782.*

DEAR SON AND DAUGHTER: This will be delivered to you by Mr. John Vaughan, son of a worthy friend of mine, and a very amiable and good young man. He has been some years in France and Spain studying the two languages and acquiring commercial knowledge. His establishment in America has ever been the intention of his parents as well as his desire. For which reason he left England soon after my arrival here and has remained on the continent, as I before mentioned.

I recommend him in the most particular manner to your civilities and kind attention, and request for him your counsel and protection, which may be useful to him as a stranger.

We are all well, and I am, as ever, your affectionate father.

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Franklin to Jay.†

PASSY, *January 19, 1782.*

DEAR SIR: In mine of the 15th I mentioned my intention of writing fully to you by this day's post. But understanding since that a courier will soon go from Versailles, I rather choose that conveyance.

I have received duly your letter of November 21st, but it found me in a very perplexed situation. I had great payments to make for the extravagant and very inconvenient purchase in Holland, together with large acceptances by Mr. Adams of bills drawn on Mr. Laurens and himself, and I had no certainty of providing the money. I had also a quarrel upon my hands with Messrs. de Neufville and others, owners of two vessels hired by Gillon to carry the goods he had contracted to carry in his own ship. I had wearied this friendly and generous court with often-repeated afterclap demands, occasioned by these unadvised (as well as ill advised) and therefore unexpected drafts, and was ashamed to show my face to the minister. In these circumstances I

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\* MSS. Dep. of State.

† MSS. Dep. of State; 7 Bigelow's Franklin, 368.

knew not what answer to make you. I could not encourage you to expect the relief you desired, and having still some secret hope I was unwilling to discourage you and thereby occasion a protest of bills which possibly I might find means of enabling you to pay. Thus I delayed writing perhaps too long. But to this moment I have obtained no assurance of having it in my power to aid you, though no endeavors on my part have been wanting. We have been assisted with near twenty millions since the beginning of last year, besides a fleet and army, and yet I am obliged to worry them with my solicitations for more, which makes us appear insatiable. This letter will not go before Tuesday. Perhaps by that time I may be able to say explicitly yes or no. I am very sensible of your unhappy situation and I believe you feel as much for me. You mention my proposing to pay the sum you want in America. I had tried that last year. I drew a bill on Congress for a considerable sum to be advanced me here and paid there in provisions for the French troops. My bill was not honored.

I was in hopes the loan in Holland, if it succeeded, being for ten millions, would have made us all easy. It was long uncertain; it is lately completed, but unfortunately it has most of it been eaten up by advances here. You see by the letter of which I sent you a copy upon what terms I obtain another million of it. That, *if I get it*, will enable me to pay till the end of February, and among the rest to pay the thirty thousand dollars you have borrowed, for we must not let your friend suffer. What I am to do afterwards God knows.

I am much surprised at the dilatory, reserved manner of your court. I know not to what amount you have obtained aids from it, but if they are not considerable, it were to be wished you had never been sent there, as the slight they put upon our offered friendship is very disreputable to us, and of course hurtful to our affairs elsewhere. I think they are shortsighted and do not look very far into futurity, or they would seize with avidity so excellent an opportunity of securing a neighbor's friendship, which may hereafter be of great consequence to their American affairs. If I were in Congress I should advise your being instructed to thank them for past favors and take your leave. As I am situated I do not presume to give you such advice, nor could you take it if I should. But I conceive there would be nothing amiss—your mentioning in a short memoir the length of time elapsed since the date of the secret articles, and since your arrival to urge their determination upon it, and pressing them to give you an explicit, definitive, immediate answer whether they would enter into a treaty with us or not, that you might inform Congress, and in case of refusal solicit your recall, that you may not be continued from year to year at a great expense in a constant state of uncertainty with regard to so important a matter. I do not see how they can decently refuse such an answer. But their silence after the demand made should, in my opinion, be understood as a refusal and we should act accordingly. I think I see

a very good use that might be made of it, which I will not venture to explain in this letter.

Speaking of your expense, puts me in mind of something that has passed between Mr. Adams and me relating to certain charges in our accounts which I think ought to be communicated to you, that if you should be of the same opinion with us you may charge as we propose to do, or if you are of a different opinion we may conform to it for the reasons you will be kind enough to offer us. I therefore enclose copies of the two letters that contain the points in questions. I wish not to be burdensome to our country, and having myself no expensive habits, having besides no wife or family to bring up, and living out of Paris, perhaps I should be as little incommoded by a reduction of some of those charges as any of my brethren; but as we are to establish precedents, I would not have them such as may be oppressive to another or to a successor differently circumstanced.

I advanced to Major Franks fifty louis, as you desired, and took his note, payable to you. His stay has been so long, and he bought so many things, that it did not prove sufficient.

I can not express sufficiently my thankfulness to you for the kind and friendly manner in which you wrote concerning me and my grandson to the President of Congress. Be assured I shall ever bear it in remembrance.

I am of the same opinion with you as the instructions you mention.

Mr. Deane has written a very indiscreet and mischievous letter, which was interrupted (*sic.*) and printed at New York, and since in the English papers. It must ruin him forever in America and here. I think we shall soon hear of his retiring to England and joining his friend Arnold.

I know not how the account of your salary stands, but I would have you draw upon me for a quarter at present, which shall be paid; and it will be a great pleasure to me if I shall be able to pay up all your arrears.

I forwarded to you General Washington's despatches, by which you would learn the reduction of Yorktown and Gloucester. A great and important event! The infant Hercules has now strangled his second serpent that attacked him in his cradle, and I hope his future history will be conformable.

My grandson joins with me in best wishes of health and happiness to you and Mrs. Jay.

Mr. Laurens, being now at liberty, perhaps may soon come here and be ready to join us if there should be any negotiation for peace. In England they are mad for a separate one with us, that they may more effectually take revenge on France and Spain. I have had several overtures hinted to me lately from different quarters, but I am deaf. The thing is impossible. We can never agree to desert our first and our faithful friend on any considerations whatever. We should become infamous by such abominable baseness. With great and sincere esteem, I am ever, dear sir, &c.

Livingston to Luzerne.\*

OFFICE OF FOREIGN AFFAIRS,  
January 19, 1782.

SIR: I do myself the honor to enclose two letters from Mr. Deane, which were delivered with his own hand to a Mr. Marshal, who has sworn to their identity. These add so much weight to the suspicions already entertained against him that they may probably be of use to your court in justifying any measure which they may deem it proper to adopt to prevent the ill effects of the principles he endeavors to disseminate and to invalidate the ill-founded assertions he makes.

I beg to be informed whether you think it probable that the *Hermione* has sailed yet, and if not, whether you have any express going down to her.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Luzerne to Livingston.†

[Translation.]

PHILADELPHIA, January 20, 1782.

SIR: I thank you for communicating to me Mr. Deane's two letters. I shall transmit them to my court. I am not at present sending any express to the Chesapeake, but I shall probably send one as soon as I shall have received the letters which should have been brought by the *Sybil*. It is still possible that the *Hermione* may be charged with them.

I proposed to have the honor, at the first opportunity, of conversing with you upon a circumstance which it is desirable that Congress should alter. In the State of Massachusetts there is no marshal of the court of admiralty. The custom in that State is to put into the hands of the agent of the *libellant* the effects *libelled*, and the proceeds of their sale if it has taken place. This practice has already been attended with great inconveniences as it respects French merchants, and particularly as it respects a Spanish vessel, the owners of which, it is thought, have lost from twenty-five to thirty thousand pounds sterling, merely because the contested property had not been put into the hands of a responsible public officer. You will be better able, sir, than I am to judge by what means these inconveniences may be remedied.

I have the honor to be, &c.,

LUZERNE.

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\*MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 40.

† 6 Sparks' Dip. Rev. Corr., 40.



## Livingston to Governor Trumbull.\*

PHILADELPHIA, *January 22, 1782.*

SIR: I do myself the honor to enclose certified copies of two letters from Silas Deane, which serve in some measure to authenticate those that have been published in his name, and strongly mark such a change in his sentiments and principles as is worthy of the attention of the State of which he is a citizen. The originals are lodged in this office, to which your excellency may at any time apply if such copies should be required as would amount to legal evidence; I have also enclosed a copy of an affidavit of Mr. Marshall, to prove the identity of the letters, and his having received them from Silas Deane.

I some time since did myself the honor to write to you relative to the damage done by the enemy to your State; to that letter I have not been as yet favored with an answer. Your excellency will easily see the propriety of keeping up a correspondence with this office, since there are so many inferior objects which escape the general attention of Congress which it may be extremely useful to detail in our negotiations. Such, for instance, as an authentic account of the cruelties committed by the British at New Haven, [since they could not but have some effect in increasing the detestation which their conduct ought to inspire in Europe].† Nor is it of less moment to be minutely informed by every State of the resources for carrying on the war, the means used to call out those resources, the temper and disposition of the people with respect to them. With a view of obtaining these from you at your leisure I have taken the liberty to open this correspondence with your excellency. I persuade myself you will not put the trouble it may give you in competition with the slightest advantage that our country may obtain from it. I shall in return give you from time to time such European news as we may receive here which I conceive will contribute either to your amusement or the advantage of your State.

And as I have nothing positive at present, let me inform you, what I would wish every State to know, that we have not as yet any intelligence that leads to a speedy peace, so that we have every reason to expect another campaign, and a campaign too that will call for our greatest exertions.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 152.

† Passage in brackets omitted in Sparks' ed.

Franklin to Carmichael.\*

PASSY, *January 23, 1782.*

DEAR SIR: It is a long time since I have written to you; but I am not the less sensible of your obliging attention in writing frequently to me. I have now before me your several favors of September 15, October 23, November 8, and January 11. Your communications are always agreeable, and I beg you would continue them, and continue also to excuse the want of punctuality in correspondence of an old man who has been oppressed with too much business. The arrival of Mr. Barclay appointed consul-general, will ease me of a good deal, and I hope for the future to be more exact.

Mr. Boyeted was so obliging as to call on me with one of your letters, and has since sent me the books, which afford me a good deal of information. I thank you very much for them. I expect soon some copies of a new volume of the transactions of your American Society, of which I shall request M. de Campomanes to accept one. Be pleased to present my respects to him. I see that he will be a great benefactor to his country.

With regard to money matters, I am continually embarrassed by some means or other with fresh difficulties. I was told that no more random bills would be drawn after the first of April last, and I flattered myself with being soon at ease by paying off those issued before; but as they continue coming, drawn not only on Mr. Jay, but on Mr. Adams, Mr. Laurens, and myself, I begin to suspect that the drawing continues and that the bills are antedated. It is impossible for me to go on with demands after demands. I was never advised of the amount of the drafts either upon myself or upon any of the other ministers. The drafts themselves that are directed to me are indeed a justification of my paying them. But I never had any orders to pay those drawn on others, nor have I ever received a syllable of approbation for having done so. Thus I stand charged with vast sums which I have disbursed for the public service without authority. In my present situation I can not encourage Mr. Jay to accept any more bills. I think, too, *all things considered*, that if some of them must go back protested, it had better be from Spain than from either France or Holland. But I will do my best, if possible, to prevent it. I wish with you that we had contented ourselves with such aids as this kind and generous nation could afford us, and never sought to entangle ourselves with obligations to any others.

In writing to Mr. Jay I forgot to mention how much I was obliged by his permitting me to read his despatches sent by Major Franks. They are very full and satisfactory. I wonder at what you have heard, that the Congress had for eight months no letters from Mr. Adams, as I think him the most diligent of all correspondents, having seen in the

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\* MSS. Dep. of State; 7 Bigelow's Franklin, 372.

notes of Congress mention made of the dates of letters received from him, by which it seemed that he had written almost every day, and sometimes twice a day. My great fault is writing too seldom. I should write oftener (and should be happy) if I had nothing else to do.

I wrote to Mr. Jay on the 19th that I hoped before the following Tuesday to be able to say whether I should or not have it again in my power to aid him. I am still in the dark, but I shall pay your draft as well as his for a quarter of your salaries. I wish each of you would state an account and send it to me of what has become due since the commencement and what you have received, and if I can procure the means I will pay the balances; but it is necessary to write to Congress for a direct provision hereafter.

You do my little scribblings too much honor in proposing to print them, but they are at your disposition, except the letter to the academy, which, having several English puns in it, can not be translated, and besides has too much *grossièreté* to be borne by the polite readers of these nations. If you should print any of them you will conceal my name.

I see *advertised* here *Spanish ink of a fine black for writing*. From this one would imagine that Spanish ink had obtained a character for blackness. If there is any of it to be had at Madrid I wish you would use it in writing your letters; for, my eyes not being very good, when the ink and paper are so nearly of a color I find it difficult to read them.

JANUARY 25.

Since writing the above the Marquis de la Fayette is arrived, to my great joy, as I am persuaded he will be very useful to our affair. I forward some letters for Mr. Jay.

Robert R. Livingston, esq., is appointed Secretary for Foreign Affairs and General Lincoln Secretary of War. Mr. Morris conducts the finances to general satisfaction, and the public credit is reviving.

I this day met Mr. Casas at Mr. Grand's, where we dined, and he gave me a letter from you. I shall with pleasure cultivate his acquaintance, for which I am obliged to you.

With great esteem, I am ever, dear sir, &c.

B. FRANKLIN.

Please to give the enclosed papers to Mr. Jay, which should have gone to him with my last.

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Livingston to Franklin."

PHILADELPHIA, *January 23, 1782.*

DEAR SIR: An express just going to Chesapeake gives me an opportunity of sending by the *Hermione* a resolution passed yesterday. My letters by this conveyance are so lengthy, that they leave me nothing to

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 207, with verbal changes.

add, unless it be that we have just received letters from Mr. Deane (copies are enclosed) which confirm the authenticity of those published in his name by Mr. Rivington, mentioned in my former letters. In one of those publications he expressly advises a return to the Government of Great Britain, and, as this could not be effected through Congress, that it should be done by committees, which the people should choose for that express purpose. These of which I now send you copies were delivered here by the person to whom Mr. Deane gave them, so that there can be no doubt of their authenticity.

We have nothing new except what you will learn from the papers herewith transmitted. As I doubt not you are upon the most confidential terms with the Marquis de la Fayette, I could wish him to see my last letter. You will observe that I have omitted (for reasons that you will easily conceive) to make use of the arguments which may be derived from the 11th and 12th articles of our treaty with France. The commissioners will exercise their own discretion in applying them when a negociation shall be opened.

We were much surprised at not receiving a single line by the frigate lately arrived at the Chesapeake from any one of our foreign ministers. It is upwards of three months since we have had a letter of intelligence from Europe. Congress complains of these neglects (for such they consider them), and I flatter myself that in future, as a channel is now open through this office for a regular correspondence, this cause of complaint will be removed, and that letters and papers will be lodged with our consuls to go by every conveyance.

Be persuaded, sir, that I shall omit no opportunity to give you every information which may contribute to your private amusements or the public benefit.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

P. S.—I have this moment received resolutions from Congress (copies of which I enclose) which serve to show their sense of the importance of the fisheries and their eastern [*sic*] extent, and add new weight to the arguments which I had the honor to use. You will be pleased to transmit copies of them to Mr. Izard and Mr. Adams.

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Livingston to Luzerne.\*

OFFICE OF FOREIGN AFFAIRS,

*January 24, 1782.*

SIR: Reflecting that our not communicating the resolutions of the 22d to you, when we send them to Dr. Franklin, might appear to the Count de Vergennes to betray a want of confidence in you, which I am persuaded Congress do not entertain, I am led to consider my not hav-

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 41.

ing received instructions to communicate them as a mere accidental omission, and accordingly take upon me to enclose a copy of them. You will, I presume, put them in cipher before they are sent off. To give you leisure to do it I have not sent them to your house, but have ordered my servant to find you at the assembly.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Hartley to Franklin.\*

LONDON, *January 24, 1782.*

MY DEAR SIR: I received yours of the 15th instant this day. I must take the earliest opportunity of setting you right in one mistake, which runs through your whole letter, and which to you, under that mistake, must be a very delicate point. You seem to apprehend that America has been stated in the proposition to Lord North as "disposed to enter into a separate treaty with Great Britain;" but you meet the condition, viz., in the words immediately following, "*and that their allies were disposed to consent to it.*" There can not possibly be any supposition of treachery to allies in any proposition to which they may *consent*. A separate treaty, with the *consent* of the allies of America, was the proposition communicated to me by Mr. Alexander, and which I laid before the minister, and which I reported back again to Mr. Alexander in writing when I showed him the paper entitled "Conciliatory Propositions," which I took care to reduce to writing, with a view of avoiding mistakes; therefore I have not *misunderstood* Mr. Alexander. I have since seen Mr. A. many times, and he has always stated one and the same proposition, viz: that America was disposed to enter into a separate treaty because their *allies were disposed to consent that they should*; therefore there can not exist a suspicion of treachery. It occurred to me once while I was writing to bar against that misconstruction, but having specified the *consent of the allies of America* in the same sentence, I could not conceive such a misconstruction to have been possible.

You have mistaken another point greatly. You say "a truce for *ten years.*" There is not in the bill any such disposition or thought; on the contrary, it is specified in the enclosed paper that it is kept *indefinite*, for the sole purpose of avoiding the suspicion which you have suggested. The truce may be for twenty, or fifty, or one hundred years; in my opinion the longer the better. But in any case, what I mean now to state is the *indefinite* term in the bill. The articles of intercourse are only proposed for ten years certain, just to strew the way with inviting and conciliatory facilities, in the hope that *a little time given for cooling* would confirm a perpetual peace. If I were permitted to be the mediator, I should certainly propose the truce for twenty years;

but if no more than ten years could be obtained, I would certainly not refuse such a ground of pacification and treaty. I refer you to several of my letters two or three years ago for the justification of my sentiments on that head.

Another point: Look at all my letters since 1778, and see if I have at any time suggested any breach of treaty or of honor; on the contrary, I think a faithless nation, if exterminated, would not deserve the pity of mankind. I speak of all I know in the treaty between America and France, and what I think reasonable upon the case itself. If America is further bound than we know of, they must abide by it. I speak to the apparent and public foundation of the treaty, article second, with the provision of *tacitly*, from article eighth; and now I refer you to my letter to you as long ago as April 10th, 1779: "If beyond this essential and directed end, and upon grounds totally unconnected with that alliance, not upon motives of magnanimity *for the relief of an innocent people*, but from distinct and unconnected motives of private European sentiments, America should be dragged into the consequence of a general European war, she may apply to France the apostrophe of the poet, speaking in the person of Helen to Paris, '*Non hoc pollicitus tuæ.*'" You see, therefore, that our sentiments have been uniform, and, as I think, reasonable, because I still remain in those sentiments.

Suppose, for instance (and you may call it the case of a straw, if you please), that Great Britain and France should continue the war for ten years on the point of a commissary at Dunkirk, ay or no;—would it be *reasonable*, or a *casus fæderis*, that America should be precluded from a separate treaty for ten years, and therefore involved in the consequential war after the *essential and direct ends* of the treaty of February 6th, 1778, were accomplished? As far as my judgment goes, upon the knowledge of such facts as are public, I should think it was neither *reasonable* nor a *casus fæderis*. This is the breviate of the argument, in which there is no thought or suggestion of any breach of faith or honor. I did conclude that France was disposed to give their *consent*, because Mr. Alexander informed me so, and because I thought it reasonable that France should consent, and reasonable that America should enjoy the benefit of that consent. I transmitted it to Lord North as a proposition temperate and pacific on the part of America and consented to by their allies; and on no other ground did I transmit or propose it. All that your letter tells me is, "that America will not break with her allies, and that her commissioners will not entertain such a thought;" but give me leave to add, that they, as honest men, can not disdain such a thought more than I do. Every honest man ought to disdain the office or the thought of proposing a breach of faith to them. I have often told you that such an office or such a thought shall never be mine.

But you have not told me that France would not be disposed to consent to a separate treaty of peace for that ally whose peace was the



original declared object of the alliance in the case supposed, viz: of certain supposed or real punctillios between two proud and belligerent nations, which might possibly involve America for years in a war totally unconnected with the objects of the alliance. Besides, if any rubs should occur in the road to a general peace, France is too proud a nation to say that, beyond the *policy* of contributing to the separation of America from Great Britain in any contest of rivalry, they can not meet their rivals in war without the assistance of America. I can not conceive that the minister of a great belligerent nation could entertain such a thought as affecting their own sense of honor, or be so unreasonable to their allies as to withhold consent to their peace when *the essential and direct ends* of the alliance were satisfied. Observe, I do not contend against a general peace; on the contrary, I mean to recommend the most prudent means for producing it. But, as an anxious lover of peace, I feel terrors which dismay me, and I consider the dangers which obstruct the general peace, arising from the pride and prejudices of nations, which are not to be controlled in their heat by arguments of reason or philosophy.

Can any man in reason and philosophy tell me why any two nations in the world are called natural enemies, as if it were the ordinance of God and nature? I fear it is too deeply engraved in the passions of man, and for that reason I would elude and evade the contest with such passions. I would strew the road to peace with flowers, and not with thorns. *Haughty*, and *dictating*, and *commands* are no words of mine; I abhor them and I fear them. I would elude their force by gentle means, and step by step. In article eighth there are the following words: "By the treaty or treaties that shall terminate the war." Let us have one treaty begun, and I think the rest would follow. I fear when contending passions are raised lest we should lose all by grasping at too much.

JANUARY 25.

I have just seen Mr. Alexander, and have talked the matter over with him. I send you a copy of his sentiments upon it,\* which, for

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\* The following is the letter from Alexander to Hartley referred to:

DEAR SIR: As I had not the opportunity of seeing your correspondence at this time, I was unable to prevent the misunderstanding that seems to have arisen. There is no proposition of which I am more convinced than that "nothing can be done without the concurrence of allies." But as the chief obstruction towards an accommodation seemed to me to lie in the personal character of some who have great weight in this matter, and as the object of the war (the independence of America) seems, in the opinion of all men, to be secured, my own opinion was, and still is, that there was so much wisdom and moderation where prejudice prevents us from seeing it, that, provided the ends of the war are accomplished to the satisfaction of all parties, they will be very ready to let us out of it in the most gentle manner, by consenting equally that the business shall go on in one, two, or three separate deeds, as shall be most palatable here; and to doubt that our friends are desirous of finishing the contest with the approbation of their allies is to doubt their understanding.

I am, with the greatest esteem, yours, &c.,

W. ALEXANDER.

the sake of avoiding further mistakes, he committed to paper, and which I think justify me in saying that I understood from him that France was *disposed to give their consent*, as he *explained* it to me, and as I explained it to the minister. He did not say, nor did I understand him to say, that he was *authorised* by the French ministry, or by any one else, to declare that France had bound herself to consent, or that any such requisition had been made to her; but that it was his opinion that France would consent, and that I might proceed upon that presumption so far as to recommend overtures of negociation. Accordingly, the phrase of my letter to you is, that he *explained* to me *that their allies were disposed to consent*. You see what his opinion is on this day; and as you have not told me that France will [not] consent, the *reasonable* probability which still remains with me for the hopes of opening an amicable treaty remains as it did.

I could not delay saying thus by the very first mail upon a point equally delicate to me as well as to yourself. My dear friend, I beg of you not to think either that you can be considered as capable of entertaining, or that I should be capable of suggesting, any unworthy or dishonorable propositions. If there has been any misunderstanding, it is now cleared up; and the ground for negociation remains open as before. I therefore still entertain my hopes.

I am ever your affectionate

D. HARTLEY.

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Luzerne to Livingston.\*

[Translation.]

PHILADELPHIA, *January 25, 1782.*

SIR: I have the honor of sending back the resolution of Congress of the 22d instant and of thanking you for this communication. The letters which I have had to write to France in answer to those which I received by the *Sybil* being now finished, I shall have the honor of communicating to you before the end of the week the news which I have received.

I have the honor to be, &c.,

LUZERNE.

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J. Adams to Franklin.†

AMSTERDAM, *January 25, 1782.*

SIR: Your letter of the 11th, with a copy of that of M. le Comte de Vergennes of 31st of December, I had the honor to receive by the last post. By your leaving it to me to judge how far it is proper for me to accept further drafts on Mr. Laurens, with any expectation of your

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 41.

† 7 J. Adams' Works, 508.

enabling me to pay them, I am somewhat embarrassed. If I accept any bill at all, it must be in full confidence of your paying it, for there is not a possibility of my getting any money here.

I lately applied to one of the first houses, an old Dutch house, which has traded to America a hundred years, and whose credit is as clear and solid as any one in the republic. I asked him frankly if he would undertake a loan for me. His answer was: "Sir, I thank you for the honor you do me; I know the honor and profit that would accrue to any house from such a trust; I have particular reasons of my own, of several sorts, to be willing to undertake it, and I will tell you frankly I will make the necessary inquiries, and give you an answer in two days; and if I find it possible to succeed, I will undertake it; but there are four persons who have the whole affair of loans through the public under their thumbs; these persons are united; if you gain one you gain all, and the business is easy; but without them there is not one house in this republic can succeed in any loan." After the two days he called on me to give me an account of his proceedings. He said he first waited on one of the regency, and asked him if it was proper for him to put in a *requête*, and ask leave to open such a loan. He was answered that he had better say nothing to the regency about it, for they would either give him no answer at all, which was most probable, or say it was improper for them to interfere, either of which answers would do more hurt than good. It was an affair of credit which he might undertake without asking leave, for the regency never interfered to prevent merchants getting money. With this answer he went to one of the undertakers, whose answer was that at least until there was a treaty it would be impossible to get the money; as soon as that event should happen, he was ready to undertake it.

I have been uniformly told that these four or five persons had such a despotic influence over loans. I have heretofore sounded them in various ways, and the result is that I firmly believe they receive ample salaries upon the express condition that they resist an American loan. There is a phalanx formed by British ministry, Dutch court, proprietors of English stocks, and great mercantile houses in the interests of the British ministry that support these undertakers and are supported by them.

We may therefore reckon boldly that we shall get nothing here, unless in the form of the late five millions lent to the King of France and warranted by the republic until there is a treaty. I believe, however, I shall venture to accept the bills of which I have given you notice, in hopes of your succeeding better than your fears. Yesterday was brought me one more bill drawn on Mr. Laurens on the 6th July, 1780, for five hundred and fifty guilders, No. 145. I have asked time to write to your excellency about this too, and shall wait your answer before I accept it.

I have the honor to be, &c.,

JOHN ADAMS.

Livingston to the President of Congress.\*

PHILADELPHIA, *January 25, 1782.*

SIR: In the first organization of a new department some things are frequently omitted which experience will show ought to be inserted, and many inserted which ought to be omitted. It becomes the duty of those who are placed at the heads of such departments to mention the difficulties that may arise from these causes, and leave it to the wisdom of Congress to alter them, or to judge whether they can be changed without introducing greater inconveniences. Upon this principle, sir, I am induced to offer the following observations:

The Secretary of Foreign Affairs is to correspond with the ministers of the United States at foreign courts and with the ministers of foreign powers. This correspondence must necessarily detail such sentiments as the sovereign wishes to have known and lead to such inquiries as they choose to make. An intimate knowledge of their sentiments is therefore absolutely necessary to a discharge of this duty, and we accordingly find that the minister of foreign affairs is in monarchical governments considered as the most confidential servant of the crown. In republics it is much more difficult to execute this task, as the sentiments of the sovereign sometimes change with the members who compose the sovereignty. It is more frequently unknown, because no occasion offering on which to call it forth. It is never perfectly expressed but by some public act. Waiting for this time, the advantages of embracing a favorable opportunity are frequently lost. There are numberless minutiae upon which no act is formed, and about which, notwithstanding their sentiments should be known to their ministers, there are even occasions in which their secretary should speak a sentiment which it would be improper for them to declare by a public act.

Congress, sensible of the inconvenience that the officer entrusted with the management of their foreign affairs must labor under in the execution of his duty without a more perfect knowledge of their sentiments than can be obtained from their public acts, have been pleased to admit him to attend Congress, that (as the ordinance expresses it) he may be better informed of the affairs of the United States, and have an opportunity of explaining his reports respecting his department; but here it stops short, and does not say in what manner he is to gain the sentiments of Congress when he does himself the honor to attend upon them. It is true they may in part be collected from an attention to the debates, but it often so happens that the debate does not take the turn that he would wish in order to satisfy a doubt, and he goes away, after hearing a subject largely discussed, ignorant, perhaps, of the only point upon which he wishes to be informed, when perhaps by a single question his doubt might be removed, or by a word of information, which he has the best means of acquiring, a debate might be shortened.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 153, with verbal changes.

It is true, the power of explaining his reports given by the ordinance seems to imply a permission to offer his sentiments when they are under consideration, but as I do not wish to assume a liberty which is not expressly given, I must beg the sentiments of Congress on this subject. The ordinance is also deficient in not affording a power to the Secretary of Foreign Affairs to take order upon the application, either of foreigners or subjects, relative to matters not of sufficient moment to engage the attention of Congress; as, for instance, applications for aid in procuring the release of an American taken under particular circumstances in English ships and confined in the French West Indies, or elsewhere; claims upon prizes carried into the French islands, &c., which cases occur every day, and are attended with long memorials, which would take up much of the time and attention of Congress.

As I have hitherto taken the liberty to transact business of this kind with the minister of his most Christian majesty and the governors or generals of the French islands I wish to be justified in so doing by the orders of Congress. As a check upon myself I keep a book, though it is attended with much labor, in which all such applications and the steps taken in consequence thereof are inserted at length.

The organization of this office will too, I presume, render some alterations necessary in matters of form and ceremony as heretofore settled by Congress in conformity to the practice of other nations, and to enable us to avail ourselves of the advantages they sometimes afford in creating useful delays and concealing for political reasons the views of the sovereign.

Congress having vested me with the power of appointing clerks, I have appointed two gentlemen, in whose integrity and abilities I can confide. These are barely sufficient to do the running business of the office, which is much greater than I imagined it would be; five copies, besides the draft, being necessary of every foreign letter or paper transmitted. To copy all the letters which have hitherto been received, with the secret journals and other extracts from the books and files of Congress, though absolutely necessary both for order and security, will be impossible without further aids for at least one year. Congress have not, indeed, limited the number I may employ, nor have they fixed their salaries, upon both of which I could wish for their direction. An interpreter is so necessary both for this department and the admiralty, that I can not but recommend to Congress the appointment of one, from whom, if a man in whom I could confide, I might receive assistance as a secretary when hurried with business.

It may possibly be expected, sir, that I should close this long letter by a report on the matters it contains, but as it is a delicate subject to point out a mode for extending my own powers, I only beg leave to recommend the enclosed resolve.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.



Washington to Morris.\*

PHILADELPHIA, *January 25, 1782.*

SIR: I have received your favor of the 23d respecting Captain Hutchins, and shall give you a more definitive answer after I have seen that gentleman.†

By a letter which General Lincoln addressed to me before he went to the eastward, I find that you approve of my plan of sending officers to the four New England States particularly with the returns of their deficiencies of troops, and with instructions to attend upon the legislatures, and to endeavor to impress them with the expediency, and indeed

\* 6 Sparks' Dip. Rev. Corr., 424.

† JANUARY 26.—In consequence of the information received from Mr. Thomas Paine of the intentions of some officers to promote a general application by way of memorial to General Washington respecting their pay, I sent for him and had a long conversation on various matters of a public nature. He observed that his services to the public had rather been neglected. I told him I could wish his pen to be wielded in aid of such measures as I might be able to convince him were clearly calculated for the service of the United States; that I had no views or plans but what were meant for the public good, and that I should ask no man's assistance on any other ground; that it was true I had nothing in my power at present to offer as a compensation for his services, but that something might turn up, and that I should have him in my mind.—*Diary.*

The following record is also contained among Mr. Morris' papers, in his own handwriting, dated February, 1782:

Having lately had several meetings with Mr. Thomas Paine, the writer of a pamphlet styled *Common Sense*, and of many other well-known political pieces, which, in the opinion of many respectable characters, have been of service to the cause of America, I thought this gentleman might become far more serviceable to the United States by being engaged to write in the public newspapers in support of the measures of Congress and their ministers. My assistant, Mr. Gouverneur Morris, is clearly of the same opinion, and in all our conferences with him we have pointedly declared that we sought the aid of his pen only in support of upright measures and a faithful administration in the service of our country. We disclaim private or partial views, selfish schemes or plans of any and every kind. We wish to draw the resources and powers of the country into action. We wish to bring into the field an army equal to the object for which we are at war. We wish to feed, clothe, move, and pay that army as they ought to be done, but we wish also to effect these on such terms as may be least burdensome to the people, at the same time that the operations shall be every way effective.

Having these for our objects, we want the aid of an able pen to urge the legislatures of the several States to grant sufficient taxes; to grant those taxes separate and distinct from those levied for State purposes; to put such taxes, or rather the money arising from them, in the power of Congress from the moment of collection.

To grant permanent revenues for discharging the interest on debts already contracted, or that may be contracted.

To extend by a new confederation of the powers of Congress, so that they may be competent to the Government of the United States and the management of their affairs.

To prepare the minds of the people for such restraints and such taxes and imposts as are absolutely necessary for their own welfare.

To comment from time to time on military transactions, so as to place in a proper point of view the bravery, good conduct, and soldiership of our officers and troops



necessity, of filling their battalions previous to the opening of the campaign. He informed me also that you would be glad to give the same officers some instructions relative to the business of your department. If so, I could wish you would have your letters ready to go by the next post, by which time I expect to have the returns prepared. I have not yet fixed upon the gentlemen who will be proper, but you can leave blanks for the insertion of the names of those who may be chosen.

As we may reasonably expect to hear soon again from Sir Henry Clinton on the subject of the meeting of commissioners, I think it would be well to be preparing the substance of the powers to be delegated to the gentlemen to whom the transaction of the proposed business will be committed. What I would wish you to prepare particularly is so much as will relate to the liquidation of the former accounts of prisoners and making provision for their maintenance in future.

I have the honor to be, &c.,

GEORGE WASHINGTON.

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Livingston to Franklin.\*

PHILADELPHIA, *January 26, 1782,*

DEAR SIR: I do myself the honor to enclose you a convention for the establishment of consul, which has just passed Congress. You will find that you are empowered either to sign it in France, or if any alterations are made to send it here to be executed.

Nothing new since I wrote you. We are still in the dark with respect to European intelligence, not having heard from any gentleman in public character since the 5th of October, when we had a short letter from Mr. Carmichael.

I have the honor to be, sir, with great respect and esteem, your most obedient, humble servant,

ROBERT R. LIVINGSTON.

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when they deserve applause, and to do the same on such conduct of such civil officers or citizens as act conspicuously for the service of their country.

Finding Mr. Paine well disposed to the undertaking, and observing that General Washington had twice in my company expressed his wishes that some provision could be made for that gentleman, I took an opportunity to explain my design to the General, who agreed entirely in the plan. I then communicated the same to Mr. Robert R. Livingston, Secretary of Foreign Affairs, and proposed that he should join me in this business, by furnishing from his department such intelligence as might be necessary from time to time to answer the useful purposes for which Mr. Paine is to write; and in order to reward this gentleman for his labors, and enable him to devote his time to the service of the United States, it was agreed to allow him eight hundred dollars a year, to be paid quarterly. But it was also agreed that this allowance should not be known to any other persons than those already mentioned, lest the publications might lose their force if it were known that the author is paid for them by government.

\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 213.

## Luzerne to the President of Congress.\*

[Translation.]

PHILADELPHIA, *January 28, 1782.*

SIR: The undersigned, minister plenipotentiary of France to the United States, has the honor of informing Congress that a great part of the loan of ten millions of livres tournois, opened in Holland on account of the United States, was taken up in October last, and that the interest on it has been fixed at four per centum. It is now proper that Congress should be pleased to send to Mr. Franklin the instructions and the authority necessary for performing the acts required to bind the United States in their engagements with his majesty on account of this loan, as well as of the interest and expenses which it has occasioned. The undersigned has informed the superintendent of the finances that, after deducting the money advanced by his majesty for this loan, there would remain about four millions of livres at the disposal of the United States when the loan is entirely taken up.

LUZERNE

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 Franklin to Morris.†
PASSY, *January 28, 1782.*

SIR: I wrote a few lines to you this morning, and understanding that the courier is not yet gone off for Brest, I have time to acquaint you that our good friend the Marquis, whom I have just now seen, has been, at my request, with all the ministers, spent an hour with each of them, pressing with all the arguments possible a farther supply of money for the ensuing campaign; and being better acquainted with facts, he was able to speak with greater weight than I could possibly do. He finds that the general determination had been not to furnish any more money, and though he thinks he has so far prevailed as that the matter may be reconsidered, and possibly some may be obtained, which, however, is far from being certain, he does not imagine it will be much, and that therefore it will be best for us to act as if none were to be expected. I shall see M. de Vergennes to-morrow, and shall write you farther by the first opportunity.

I will just add one short reflection, that wrong estimates are often made of a friend's abilities; and borrowers are apt to say, help me with such a sum; 'tis to a man of your wealth a trifle. They are ignorant of the demands constantly made upon him by the course of the expense he is necessarily engaged in, which may be equal to or exceed his income, and it is grating to be pressed for loans in a manner that

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 \* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 42.

† MSS. Dep. of State; 7 Bigelow's Franklin, 381.

oblige a man either to seem unkind by refusing, or to disclose his own inabilities. Let us be assured that if we do not obtain another loan it is [not?] for want of good will to us.

With great regard, I have the honor to be, &c.

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Franklin to Morris.\*

PASSY, *January 28, 1782.*

SIR: I received a few days since, by the Marquis de la Fayette, your several letters of November 27, December 3, and December 4, with the papers referred to, the reading of which gave me great satisfaction, as they show the steps you are taking with so much zeal, judgment, and activity for putting into good order our finances and restoring the public credit. My notice of this opportunity to write is so very short, that I can not make the excuse proposed for want of hands and therefore may the sooner return. I enclose a copy of my last, written when I was much dejected by the embarrassed situation the drafts had brought me into. I have yet obtained no assurances of relief, but since the arrival of the Marquis I have some hopes, though I can not yet give you any as to the twelve millions you demand. I shall see the minister on Wednesday, and will immediately after write to you by all opportunities. Mr. Barclay is still in Holland. I delivered your letter to Mr. Grand.

With the sincerest esteem, I am, sir, &c.

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Franklin to Livingston.†

PASSY, *January 28, 1782.*

SIR: I received at the same time your several letters of October 20th, 24th, and November 26th, which I purpose to answer fully by the return of the *Alliance*. Having just had a very short notice of the departure of this ship, I can only at present mention the great pleasure your appointment gives me, and my intention of corresponding with you regularly and frequently as you desire. The information contained in your letters is full and clear; I shall endeavor that mine, of the state of affairs here, may be as satisfactory.

With great esteem, &c.,

B. FRANKLIN.

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\* MSS. Dep. of State; 7 Bigelow's Franklin, 381.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 213; 9 Sparks' Franklin, 155; 7 Bigelow's Franklin, 382.

Livingston to the President of Congress.\*

PHILADELPHIA, *January 29, 1782.*

SIR: The minister of France informed me that he was desirous of making some communications from letters received by the *Sybil*. Ten o'clock this day was appointed to receive them. He accordingly came, and read to me passages of a letter of Count de Vergennes to him, dated October 17th, 1781, which contained in substance:

That France wished (as was evident from her going into the war on our account) to obtain every advantage for us. That powers at war must often be governed by circumstances. That if events would enable her to command them we might depend on everything she could obtain. That her political system depended not only on America, but on the other powers at war. That if France should continue hostilities merely on account of America after reasonable terms were offered, it was impossible to say what the event might be. That his majesty was, however, at all events, determined to adhere to the true principles of the alliance, and would farther endeavor to obtain for us whatever we demanded, as far as events would justify.

He observed that people in America appeared to be greatly deceived with respect to the disposition of the belligerent and mediating powers, and to imagine that all were anxious for a peace; that this was so far from being the case that Great Britain had not yet returned any answer to the overtures of the imperial courts, nor had any reply been made by the latter to the answer given them by France, from which delay it might be easily imagined peace was far distant. That from the present situation of Spain there was strong reason to suppose she could not spare us any money, her own operations requiring all she had. That he hoped France would not be called upon to make up her deficiencies, as they were in no situation to make new grants. Besides, that in order to rid us of our embarrassments they had already made efforts in our behalf, which they had reason to believe exceeded even our expectations, and that what they had done for America this year entitled them to an exemption from further demands.

In a letter of October 20th, 1781, from the Count de Vergennes to the minister of France, it is observed that the United Provinces would not [as he had strong reason to believe,†] embarrass themselves by an alliance with us [till after a peace shall have been concluded †], that in this they will follow the example of Spain; that, however, it will be prudent to keep an agent in Holland and direct him to advise constantly with [the minister of France]‡ that we may observe some consistency in our politics. That he fears America founds hopes on the

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 42, with verbal changes and omissions; a version adopted in the main in the Sparks' edition is found in 2 Secret Journals of Congress MSS.

† Passages in brackets omitted in Sparks' ed.

‡ "Dr. Franklin" in Sparks' ed.

aid of Russia; that nothing can be more groundless; that though he believes she is not averse to the independence of America, yet we ought not to expect that she will move a step in our favor; that she has no particular interest in terminating the war; that as she means to assume the character of a mediator she must preserve that of justice and impartiality; that nothing, therefore, can extort from her measures favorable to us, but a conviction that we cannot be brought back to the dominions of Great Britain. That this should lead us to think (a sentiment which he desires the minister to inculcate) that our success depends upon our exertions, and upon our relinquishing the inactivity into which false hopes, excited by success, do sometimes plunge us.

He repeated that France could lend us no more money; that the ten millions borrowed upon our account in Holland were greatly sunk by advances made in France; that no bills would be paid in France which the minister did not authorize us to draw; that he hoped our officers would have too much prudence to risk the credit of the United States by drawing; that the negotiations are still inactive, and will remain so till events oblige one or other of the parties to sue for peace. That the success of the expedition against Portsmouth (that being the supposed post of Cornwallis) might possibly have some effect. That the great object of England is America; that she will not cede it while she can carry on the war; that she will certainly make great exertions the ensuing campaign; that equal exertions are therefore necessary on our part. That Spain and Holland view America as the great obstacle to a peace, from which consequences may flow, which people of judgment may easily foresee.

ROBERT R. LIVINGSTON.

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Dumas to the President of Congress.\*

THE HAGUE, *January 30, 1782.*

SIR: Last Friday the co-operating with France against the common enemy would have been resolved upon if the little city of Briel had not voted with the nobility, for resolving at the same time the acceptance of the mediation proposed by Russia for a particular peace with Great Britain, which the others refused to do. Neither of these points being agreed on they have adjourned till Tuesday, the 5th of February.

Before their parting Dort and six other principal cities inserted their protest against the unconstitutional manner of carrying on the correspondence by their high mightinesses with the emperor concerning the abolition of the barrier treaty and the dismantling of the barrier cities without consulting the provinces about it; threatening to recall their deputies at the States-General. This unexpected step has much frightened and humiliated the latter. Probably the next week will decide,

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 344.

first of all, the business of concerting measures with France, and then that of the mediation, of which they are determined to limit the acceptance by such clauses as may disappoint the friends of Great Britain.

I have the honor to be, &c.,

DUMAS.

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La Fayette to Washington.\*

VERSAILLES, *January 30, 1782.*

MY DEAR GENERAL: Having landed some days ago at L'Orient, I had the pleasure to inform you of my safe arrival, and hope the letter will have a prosperous passage. You may easily imagine, my dear General, that no time was lost in posting off to Paris, where I found my family and friends in perfect health. My daughter and your George† are grown up so much that I find myself a great deal older than I apprehended. The short stay that I have hitherto made can not have fully apprised me of all circumstances. Then nothing very important has lately happened; for I trust before this reaches you that you will have heard of the unlucky turn of the weather, that forced the outward-bound convoys to put up again in the harbor of Brest. Measures had been taken to be beforehand with the enemy in every quarter of the world. It is true Rodney, it is said, has also been obliged to return. Lord Cornwallis has been taken in a merchant vessel and ransomed by a French privateer. We heard nothing of Arnold. It is said Lord George Germaine is going to quit his post.

As I told you my opinion of the ministers, and also of the degree of friendship that subsists between me and each of them, I will only add that I am hitherto much satisfied with their zeal and good intentions for America, but find it very difficult, even next to impossible, to get money. On my arrival Mr. Franklin told me none could be expected. However, I had some conversation on the subject. I hope, *between us*, something may be obtained, but would not have Mr. Morris to be sanguine. What can be done Chevalier de la Luzerne will of course announce; but Congress will be mistaken if they build their expectations of money from this quarter. However, I will exert myself for the best to promote that and every other view which may be interesting to America.

As to grand operations or more minute circumstances of supplies, though I have had conversations on the subject with the king and his ministers, I can not as yet write you anything particular, and will endeavor to do it by the first favorable opportunity.

It is generally thought in this quarter that the exertions of America are not equal to her abilities. Nothing can operate stronger for further

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\* 2 La Fayette's Memoirs, 15.

† Mr. George Washington La Fayette.



assistance than printed assurances of a numerous, well-clothed, well-fed, army for the war. Congress ought to be very careful of that matter, for you may depend upon it England is determined to play a desperate game and to try at least another campaign. Whether it will be a defensive one in America and offensive elsewhere, or the reverse of that, I can not as yet ascertain, but I think the evacuation of New York and Charlestown is as far from their ideas for the next campaign as the very evacuation of London, and to get out of it they must be driven.

The reception I have met with from the nation at large, from the king, and from my friends, will, I am sure, be pleasing to you, and has surpassed my utmost ambition. The king spoke of you to me in terms of so high a confidence, regard, admiration, and affection, that I can not forbear mentioning it. I have been the other day invited to the Marshal de Richelieu's, with all the marshals of France, where your health was drunk with great veneration, and I was requested to present you with the homage of that body. All the young men of this court are soliciting permission to go to America. I must tell you that the news about de Bemis was only a rumor, propagated in the provinces, and it appears the king intends him to be his own first minister.

Madame de La Fayette requests I will present her respectful and affectionate compliments to you and to Mrs. Washington. Viscount de Noailles begs leave to offer his best respects. Be so kind as to present mine to Mrs. Washington, and my compliments to the family, to George, and to my friends in the army. Adieu, my dear General; however happy in my situation here, I could not have a moment's rest had I not a certainty that nothing is doing in America, that my services could not for the present be of any use to you, and that the light companies have joined their respective regiments. It is always pleasing to my heart to repeat the homage of the respect and attachment that makes me forever, etc.

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Vergennes to Livingston.\*

[Translation.]

VERSAILLES, *January 31, 1782.*

I have received, sir, the letter with which you honored me on the 20th of October of last year. I heard of your appointment as minister of Foreign Affairs of the United States with the greater pleasure, as I already knew the extent of your knowledge and your zeal for the interests and the glory of your country.

I am convinced, sir, that it will be the dearest object of your cares and labors to support the cause for which the United States are contending, and to maintain the principles which serve as a basis of the union between them and his majesty. Be assured, sir, that I shall omit

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\* 6 Sparks' Dip. Rev. Corr., 44.

nothing that lies in my power effectually to second your good intentions. My confidence in your zeal and patriotism is equal to the sentiments of respect with which I have the honor to be, sir, your most obedient and humble servant,

DE VERGENNES.

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Livingston to General Greene.\*

OFFICE OF FOREIGN AFFAIRS,  
*Philadelphia, January 31, 1782.*

DEAR SIR: I was this day favored with yours of the 13th ultimo. I need not tell you that the intelligence it conveyed, and the spirit in which it was written, afforded me the most sensible pleasure. The idea it holds forth of an attempt upon Charleston, and the prospect of success in it, is one that we dare not indulge here, more especially as troops have sailed from New York, and, as we presume, to Charleston, but you have taught us rather to measure your success by your genius than by your means.

I wish it were in my power to tell you that our accounts from Europe were proportionate to our expectations. The combined fleets, as you know, have returned and separated without having effected anything. The British are again masters of the ocean. Gibraltar is a rock on which all the exertions of Spain seem to split, and the siege of Fort St. Philip seems to be carried on in the most energetic manner. We have no prospect of forming an alliance either with Spain or Holland, who both appear to sigh for peace. Our loan on the guarantee of France with the last is nearly completed. But what is not a little unsatisfactory, it is also nearly expended by advances which France has made us on the credit of it. From Spain we are likely to get nothing.

The negotiations for a peace are entirely at a stand; the mediating powers have no interest in wishing it, and the belligerent nations are neither of them sufficiently weakened to request their interposition. The Count de Vergennes assures us that Britain will still make the most vigorous exertions. I mention these circumstances not only for your information, but that you may make the proper use of them in animating the exertions of the southern States. It is the misfortune of America to presume too much upon each dawning of success, and to believe that peace must tread upon the heels of every little advantage, instead of being taught by her own struggles and difficulties that every nation has resources that surpass the expectations of its enemies.

Would to God that you could be enabled, by the animated exertions of the southern States, to expel the enemy from them without the aid of our allies. This would re-establish our character for activity in Europe, where, I am sorry to say, it has for some time past been upon

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 156, with verbal changes,

the decline, and I do sincerely believe that, co-operating with the brilliant successes of the last fall, it would incline the enemy to peace, without which I have no expectations of it. But I fear this is rather to be wished for than expected.

Domestic news we have none but what Colonel Ternant will give, or you may collect from the enclosed papers.

If anything turns up worth your notice you shall hear from me. I flatter myself that you will think with me, that our distance is too great to wait for the ceremony of answer and reply, and favor me with a line as occasion offers.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

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Franklin to Vergennes.\*

PASSY, *February 1, 1782.*

SIR: By certain resolutions of Congress dated November 27 and December 3, 1781, Mr. Morris, superintendent of finances, is authorized and directed to take under his care, apply, and dispose of all monies which have been or may be obtained in Europe by subsidy, loan, or otherwise, and by his letters to me of the same dates, supposing the Dutch loan of five millions of florins to be in my hands, he gives me directions to dispose of the same in various ways to answer the purpose of his office. I am therefore to request that your excellency would be pleased to order an account to be given me of the expenses and other deductions to be made from that loan, that I may as soon as possible acquaint Mr. Morris with the state of it for his government; and I also pray that the remainder may be delivered to me as soon as convenient, that I may apply it as by him directed.

With great and sincere respect, I am, sir, your excellency's, &c.

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Luzerne to Livingston.†

[Translation.]

PHILADELPHIA, *February 1, 1782.*

SIR: I have received the letter with which you honored me on the 31st ultimo and the affidavit enclosed in it. I have the honor of sending it back to you, and I also annex a letter for the commanding officer of the Island of St. Domingo. It will be necessary that Mr. William Marshall should be charged to prosecute this affair himself.

I have the honor to be, &c.,

LUZERNE.

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\* MSS. Dep. of State.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 45.

Hartley to Franklin.\*

LONDON, *February 1, 1782.*

MY DEAR FRIEND: I write to you one line by this mail, only to tell you that I have seen the minister since I last wrote to you, and that he never did entertain the idea one moment of any propositions being thrown out on your part in the least degree inconsistent with the strictest honor and faith to the allies. I had no occasion to guard against, or to explain any such thought, having at all times conveyed the contrary to him in the most explicit terms. I transmit this to you for your full satisfaction. We have had much conversation on the subject of peace, which you may be sure I have most zealously endeavored to enforce. I should not do him justice if I did not add that I believe his wishes are for peace, and that he gives the most serious attention to every argument and to the suggestion of every practicable means on that subject. I have stated many things for his consideration, and for consultation with others, after which I shall see him again. I heartily wish the result may be favorable to the prospect of peace.

I am ever your affectionate,

DAVID HARTLEY.

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 Franklin to Vergennes.†
PASSY, *February 2, 1782.*

SIR: Major-General Duportail and Colonel de Gouvion, lately returned to France, have been for five years past employed in the armies of the United States, and have, by their military skill, bravery, and good conduct, done honor to their own country and great service to ours. Mr. Livingston, Secretary for Foreign Affairs, writes to me that if his majesty should think fit to bestow on these gentlemen any marks of his royal favor, it will be particular pleasing to Congress. I therefore beg leave to recommend them to your excellency's notice and protection.

I am, with respect, sir, your most obedient and most humble servant.

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 Livingston to Jay.‡
PHILADELPHIA, *February 2, 1782.*

DEAR SIR: Having heard that a vessel is soon to go to Cadiz from Baltimore, I embrace the opportunity to send a quadruplicate of my last letter, and to add thereto the little information which this inactive

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 \* 2 Sparks' Dip. Rev. Corr., 214.

† MSS. Dep. of State.

‡ MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 373, with verbal changes; 2 Corr. and Pub. Papers of John Jay, 172.

season affords. Nothing passes here between the armies; they are cantoned at a distance from each other. The enemy is secure from attack by the nature of their situation; and we by our numbers, our success, and the apprehensions of Sir Henry. We turn our faces therefore to the south, and expect from the enterprise of General Greene an activity which the season will not admit of here.

I had a letter from him of the 13th of December, which contains the latest advices. His camp is at Round O. He writes in high spirits, and assures me he is preparing for the siege of Charleston, which he is not without hopes of carrying, even before any foreign assistance can arrive. I must confess for my own part, notwithstanding the natural coolness of General Greene, that I believe he is much too sanguine on this occasion, for I have no conception that his means are adequate to so important an object, more especially as troops have since the date of his letter sailed from New York, as I suppose, for Charleston.

The governments of Georgia and Carolina are again established, and their legislatures are now sitting. The detestation of the people for the British can hardly be conceived. General Greene's letter expresses it in the following words: "The tyrants of Syracuse were never more detested than the British army in this country; even the slaves rejoice, and find a kind of temporary freedom from oppression on the return of their masters."

I congratulate you upon the recapture of St. Eustatia and St. Martin's. The enterprise does the highest honor to the abilities and spirit of the Marquis de Bouillé; and his disinterested generosity is finely contrasted with the sordid avarice of the British commanders.

[Here follow sixteen lines cipher.]

Order and economy have taken place in our finances. The troops are regularly clothed and fed at West Point, and most of the other posts, at the moderate rate of nine pence a ration, when issued, so that the innumerable band of purchasing and issuing commissaries is discharged. The hospitals are well supplied in the same way, and small advances of pay are made to the officers and men. Upon the whole, they were never in so comfortable a situation as they are at present. Our civil list, formed upon plans of the strictest economy, after having been many years in arrear, is now regularly paid off; and the departments, in consequence of it, filled with men of integrity and abilities. Embargoes and other restrictions being removed, our commerce begins to revive, and with it the fruit of industry and enterprise; and what will astonish you still more, is that public credit has again reared its head. Our bank paper is in equal estimation with specie. Nothing can be more agreeable than to see the satisfaction with which people bring their money to the bank and take out paper, or the joy, mixed with surprise, with which some, who have hesitatingly taken bank bills for the first time, see that they can turn them into specie at their option.

[Here follow thirteen lines cipher.]

Whether Spain wishes for peace or war, it is certainly her interest to push the enemy where they are most vulnerable, and where she can do it with the smallest expense to herself and the greatest to her enemy. Every additional man she enables us to maintain here forces Britain to lay out four times as much in procuring, transporting, and feeding another to oppose him. It has been acknowledged in the British House of Commons that every man in America costs the nation annually one hundred pounds sterling. Though this may appear exorbitant, yet whoever reflects on the first expense of raising and transporting a regiment, and the additional charge of sending over recruits to make up deficiencies, and that of sending provisions to an army and its innumerable dependants three thousand miles, will think it deserves some degree of credit. It is obvious then, as nations are only strong in proportion to the money they can command, that every thousand men we oblige the British to maintain here must make a diminution of their strength in some other quarter equal to three times that number.

Enclosed you have copies of two original letters from Mr. Deane, in which he acknowledges others that Rivington has published, which speak a still more dangerous language. No doubt is entertained here of his apostacy, or of his endeavor to weaken the efforts of the United States, and to traduce the character of the people and their rulers, both in Europe and America. You will doubtless use every means in your power to destroy the ill effects which his calumnies may have had upon the minds of people with you. I enclose you the gazettes, and again entreat you to let us hear from you more frequently, and to leave letters at all times at Cadiz and in the hands of our consuls in France, so that no vessel may sail without bringing us some intelligence. The last letter we had from you is dated in September, near five months ago. I dare say this has been owing to some accidental cause, and I only mention it that you may guard against it by writing more frequently in future, as the silence of our ministers excites more uneasiness here than you can conceive. Pray send me, when no other subject presents itself, and you have leisure, a sketch of the Government of Spain, and the present state of its trade, marine, military establishments, commerce, revenues, and agriculture.

I could also wish to have the Madrid Gazette and Mercury, and the court calendar of this year. I have the pleasure of informing you that your friends here are well and as numerous as ever.

I am, my dear sir, with those sentiments of esteem and friendship which I shall always feel for you, your most obedient, humble servant,

ROBERT R. LIVINGSTON.



Franklin to Adams.\*

PASSY, *February 4, 1782.*

SIR: I have received yours of this 25 past, in which you acquaint me with the reasons you have for being fully of opinion that no loan is possible to be procured by you till there is a treaty. Our only dependence, then, appears to be on this court, and I am happy to find that it still continues disposed to assist us. Since mine of the 11th past, though I have obtained no positive assurances of determined sums, I think I see more light, and will venture undertaking to answer your acceptances of the bills you mention. Before you receive this you will be informed of my having sent wherewith to answer your engagements of the present month, and I beg to know how much is yet to be provided for.

With great respect, I have the honor to be, sir, your excellency's, &c.

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Hanson, President of Congress, to Franklin.†

IN CONGRESS, *February 5, 1782.*

On the report of the Secretary of Foreign Affairs, to whom was referred the note (dated January 28) from the minister of France,

*Resolved*, That the following powers and instructions be given to the minister plenipotentiary of the United States of America at the court of Versailles.

Whereas the minister of his most Christian majesty has informed the United States in Congress assembled that the loan of ten millions of livres tournois, opened in Holland on account of these United States, was in a great measure completed in October last, and requested in consequence thereof that full powers might be expedited to bind these United States to discharge the principal and interest of the said loan agreeably to the terms thereof, with such expenses as might have accrued in making such loan you are therefore hereby authorized, directed, and empowered to enter into such engagements with his most Christian majesty, with the States-General of the United Provinces, with any particular state or province, or with any man or body of men whatsoever with whom you may find it necessary to enter into engagements, for the purpose of binding these United States to discharge the said loan, with interest, agreeably to the terms thereof; and also for the repayment of such expenses as have arisen, or may arise, by reason of the said loan. And the said United States of America do hereby pledge their faith to confirm what you shall execute in pursuance of the above power.

JOHN HANSON,  
*President.*

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\* MSS. Dep. of State.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 45.

Blome, Danish Minister, to Vergennes.\*

[Translation.]

PARIS, *February 6, 1782.*

Three American vessels, one of which was three-masted, and called the *Norfolk*, Captain Lines, and two brigs, the *Ariel*, Captain Maller, and the *Virginia*, Captain Hodsheadson, all three armed in Philadelphia, committed a most grievous outrage on the 2d of December last on the coast of Norway, where they seized two English merchantmen and burnt them, after plundering them and sending away their crews. The circumstances are more particularly detailed in the protest enclosed, made on the spot. It has moreover been proved by the report of his Danish majesty's grand bailiff at Christiansand that the aforesaid American vessels having anchored in the port of Fleckeroe, before their meeting with the Englishmen, and displayed French colors, he had asked of the French consul information respecting their sea papers, and that the latter, on examining their contents, declared that they were not furnished with any letters of marque on the part of Congress. Their conduct proves this also in having burnt their prizes, notwithstanding the offers of ransom made them by the English captains. It therefore follows that they can only be considered as pirates, whose crimes are greatly aggravated by a manifest infraction of his Danish majesty's territorial rights.

The undersigned, his envoy extraordinary, has received precise orders to communicate these particulars to his excellency the Count de Vergennes, requesting, with every possible confidence, the intervention of his most Christian majesty with the United States of America to effect not only the punishment of the guilty persons, but also to obtain an indemnification for the vessels and cargoes that were burnt, of which an exact statement shall be furnished; and this satisfaction is due to repair the excesses committed on his majesty's territory.

DE BLOME.

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Franklin to Cunningham. †

PASSY, *February 6, 1782.*

SIR: I am to acknowledge the receipt of two letters from you since you were at Nantes. In the first you desired a copy of your original commission. I have caused search to be made, but can find no trace of it, as at the time it was given to you the commissioners were not yet in the way of keeping minutes of their proceedings, and it is but a few days since I have learned from Dr. Bancroft that it was taken from you at Dunkirk and sent up with your other papers to M. Le Compte de

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\* 2 Sparks' Dip. Rev. Corr., 214.

† MSS. Dep. of State; 7 Bigelow's Franklin, 383.

Vergennes. The first time I go to Versailles I will enquire for it and try to recover it for you, and if it is lost I will send you a certificate that such a commission did exist, though at present not to be found.

In your second you desire to know what money Mr. Digges has charged as advanced to you. I never was able to obtain a regular account from him of the disposition of the money I put into his hands from time to time for the relief of prisoners in England; but I think he mentions in one of his letters that he had paid 50 or 60 £ for you. Probably this might not be true, for he is the greatest villain I ever met with, having the last winter drawn upon me for 495£ for the support of prisoners, and applied but 30£ to their use. However, he can have no right to demand any repayment of you, having had the money of me.

With great esteem, and best wishes for your prosperity, I have the honor to be, sir, &c.

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Jay to Livingston.\*

MADRID, *February* 6, 1782.

DEAR SIR: The secretary of the minister of state sent me yesterday morning your favor of the 13th of December last, accompanied by—  
(here follows specification of papers).

These are the first letters or papers of any kind that I have as yet had the pleasure of receiving from you since your appointment, and they must for the present remain unintelligible for the want of your cipher. The one mentioned to have been enclosed with these papers is missing, and the other never came to hand.

On the 29th of November last I received a packet, in which I found enclosed a set of ciphers endorsed by Mr. Secretary Thomson, and nothing else. Mr. Barclay had sent it by the post, under cover to a banker here. It had evident marks of inspection, but I acquit the banker of any hand in it.

A letter of the 18th ultimo from Mr. Joshua Johnson, at Nantes, mentions the arrival there of the brig *Betsey*, from Philadelphia, and that she brought letters for me, which were put into the post-office by the captain. I have not yet seen them.

There are letters in town brought by the Marquis de la Fayette to France; but I have not yet received a line by or from him.

We must do like other nations—manage our correspondence in important cases by couriers, and not by the post.

I have not written you a single official letter, not having been ascertained of your having entered on the execution of your office. I have, indeed, sent you by more than one opportunity my congratulations on your appointment.

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\* MSS. Dep. of State; 4 Spark's Dip. Rev. Corr., 375, with verbal changes; 2 Corr. and Pub. Papers of John Jay, 175.

You may rely on my writing you many letters, private as well as official, and as I still have confidence in Mr. R. Morris' cipher, I shall sometimes use it to you.

A duplicate of my letter of the 3d of October to Congress, which goes with this, renders it unnecessary for me to go into particulars at present, nothing having since happened but a repetition of delays, and, of consequence, additional dangers to the credit of our bills.

I am, dear sir, &c.,

JOHN JAY.

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Jay to the President of Congress.\*

MADRID, *February 6, 1782.*

SIR: My last particular letter to your excellency was dated the 3d of October last, by Major Franks. I now transmit a duplicate of it by Mr. Stephen Codman, a young gentleman of Boston, who is passing through this city to Cadiz, from whence he will either be the bearer of it himself to America, or forward it by some person of confidence.

From the date of that letter to this day the minister has found it convenient to continue the system of delay mentioned in it. I have not been able to obtain anything more than excuses for procrastination, and these excuses are uniformly want of health or want of time.

There is little prospect of our receiving speedy aids from this court, and Dr. Franklin gives me reason to fear that a great number of the bills drawn upon me must, after all our exertions to save them, be finally protested for non-payment. I have from time to time given the doctor a great deal of trouble on this subject, and I ought to acknowledge that I am under many and great obligations to him for his constant attention to our affairs here.

As soon as I get a little better of the rheumatism, with which I am now and have for some time past been much afflicted, I shall write your excellency another long and particular letter.

I have just received, through the hands of the minister's secretary, a letter from Mr. Livingston, dated the 13th of December, marked No. 3. It is in cipher, but I can not read it, nor a duplicate of No. 2, enclosed in it, for want of a key, which, though mentioned to have been enclosed, is missing. None of his other letters have reached me. A duplicate of Mr. Thompson's cipher brought by Mr. Barclay, came to me through the post-office with such evident marks of inspection that it would be imprudent to use it hereafter.

Notwithstanding all our difficulties here, I think we should continue to oppose obstacles by perseverance and patience, and my recall should rather be the result of cool policy than of resentment. I am somewhat

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 376; 2 Corr. and Pub. Papers of John Jay, 176.

inclined to think that it may become politic to suspend it on the reply of the court to a demand of a categorical answer. Unless the minister's system should change, (for they still give me hopes,) it might perhaps also be proper for me to consult with Dr. Franklin and Mr. Adams on the subject, and send Congress the result. For this purpose I submit to Congress the propriety of giving me permission to go to France or Holland.

Advantages are certainly to be derived from preserving the appearance of being well here; and such is the general opinion at present. But I am still much inclined to think it advisable to push this court by a demand of a categorical answer. I doubt their venturing to break with us. The French ambassador thinks it would be rash, and opposes it. Hence principally arises my suspense.

I have the honor to be, &c.,

JOHN JAY.

**Resolves of Congress Respecting the Communications made by Luzerne.\***

IN CONGRESS, *February 8, 1782.*

On the report of the Secretary of Foreign Affairs, to whom was referred the communication made to him by the minister of France (November 23), containing, among other things, an opinion of Count de Vergennes that his Catholic majesty will not have it in his power to advance any money to the United States, and expressing in strong terms the count's hopes that the United States will not imagine that France should make up the sums they expected from Spain, after the assistance they had already derived from France:

*Resolved*, That Congress are fully sensible of the frequent friendly and generous interposition of his most Christian majesty in their behalf, and are led from thence to hope a continuation of his assistance, since nothing has been wanting on their part so to apply the aid he generously affords, as to distress the common enemy and lead to the great object of their alliance, a safe and honorable peace.

*Resolved*, That Congress can not, without injustice to themselves and their ally, withhold from him a knowledge of their present circumstances, or neglect to mention the ruinous consequences that may attend a refusal of those aids, which, as well the friendly dispositions of his most Christian majesty as the success that has attended his interposition in their behalf, gave them reason to hope would be continued till the States, which have been lately ravaged by the enemy, had so far recovered their commerce and agriculture as to be able more effectually to contribute to the general expense, and that his majesty may be assured that their applications for this purpose shall not exceed what may be absolutely necessary for the support of the common cause.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 46.

*Resolved*, That the Secretary of Foreign Affairs, consulting with the superintendent of finance, explain to the minister of the United States at the court of Versailles the extensive advantages which have resulted from moneys supplied by his most Christian majesty to these United States, and the engagements which have been entered into with a view to render the next campaign decisive, the consequence of failing in those engagements, and the little prospect there is of fulfilling them without an additional loan or subsidy for the year 1782 of at least twelve millions of livres Tournois, in order that the said minister may present a memorial on this subject to his most Christian majesty, and at the same time lay before him the several resolutions lately passed by the United States in Congress assembled, which evidence their unalterable resolution to make every exertion for a vigorous campaign which their present situation will allow.

*Resolved*, That the minister plenipotentiary of the United States of America at the court of Versailles be, and he is hereby, instructed and empowered to borrow on account of these United States the sum of twelve millions of livres Tournois, and to enter into engagements on the part of the United States for the repayment of the same, together with the interest, which is not to exceed the terms allowed or given on national security in Europe.

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Morris to the President of Congress. \*

OFFICE OF FINANCE, *February* 11, 1782.

SIR: The situation of my department makes it necessary to lay some matters of importance before the United States in Congress, and I shall endeavor to do so with as much precision as possible.

It gives me pain to observe that the States of Massachusetts, Rhode Island, and Maryland have not yet passed the laws recommended by the resolutions of the 3d of February, 1781. I learn (though not officially) that the State of Virginia has lately suspended the operation of the law which they had passed in conformity to that resolution. The bare mention of these things is sufficient to mark the consequences. Our debt being unfunded and unprovided for the interest can not be paid. Those, therefore, who trusted us in the hour of distress are defrauded. To expect that under such circumstances others would confide in the government would be folly, and to expect that foreigners will trust a government which has no credit with its own citizens would be madness. The whole weight therefore of the war must be borne in the present moment, and even the slightest anticipations of revenue are made on the personal credit of the minister.

This, sir, is not said boastingly, but with unaffected concern. I have labored to establish a credit for my country that, when the period should

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 426, with verbal changes.



arrive (and I hoped it was not far distant) in which I could lay down the burden now pressing upon me, my successor in office should have no other difficulties to struggle with than those which necessarily attend an extensive and complicated administration. It is therefore with no common degree of anxiety and distress that I see my wishes frustrated. I feel as an American for my country, as a public servant for the interest and honor of those whom I serve, and as a man that I cannot enjoy the ease and tranquillity I have sought for through a life of unremitted labor and continual care. It is my duty to mention to you the fact and to apprise you that in such circumstances our operations will continue to be desultory efforts of individual power, rather than the combined exertion of political strength and firmness.

The repeated assurances we daily receive from the ministers of his most Christian majesty of their steady determination to grant no further pecuniary aid will not leave room to doubt of their intentions. I candidly acknowledge that I had formed not only hopes but even expectations from that quarter; for I had persuaded myself that when the brilliant successes of the last campaign should be known, and when it should also be known how much the United States are capable of, and how necessary an aid of money is to call their power into action, the king would have again extended that relief which must be most beneficial to the common cause. Even now I shall request that Congress will instruct the Secretary of Foreign Affairs to make the most pointed representations on this subject through our minister at the court of Versailles, and I shall readily furnish all such materials in my department as may be necessary for the purpose; but I must not conceal my doubts as to the effect of such representations. Duty to this country requires that they should be made, but prudence forbids a reliance on their success, and will dictate to us a further duty, which is to act under the influence of a belief that they will not succeed.

As to hopes of pecuniary aid from any other quarter, the delusion has already passed away. It is in vain that expensive establishments are kept up to solicit succor from Spain, who appears neither able nor willing to afford it; from Holland, who seeks peace and not to increase the causes of war; or from Russia, who seems more inclined to crush than to support us. Let us apply to borrow wherever we may, our mouths will always be stopped by the one word, security. The States will not give revenue for the purpose, and the United States have nothing to give but a general national promise, of which their enemies loudly charge them with the violation.

Thus, sir, compelled, however reluctantly, to look at home for the means of supporting ourselves against an enemy whose power has rather increased with the increase of her foes, whose force has risen superior to defeats, and has found resources in a situation which might have inspired despair, we must no longer rely on those who may neglect us, but take care that we be not charged with neglecting ourselves. I

would to God that I could say that there were even the appearances of general vigor and exertion. But the truth is very different. The United States have called for eight millions of dollars early in November last, of which the first quarterly payment was to have been made on the 1st day of April next, but I can not find that a single State has yet laid the taxes. I neither know what they will think proper to give nor when. Happy to experience a momentary relief from the clamor and revolt of a starving army, from the rage and devastation of an inveterate enemy, and from the waste and extravagance of cumbrous, unwieldy departments, there appears to be no solicitude anywhere for the support of arrangements on which the salvation of our country depends.

To give a little time for the people to breathe and to remedy some of the many abuses which were equally palpable and enormous, I early ventured on the business of contracting, and I have extended it as far as prudence would in any degree justify. Nay, relying on the States for support, I have made engagements which in almost any other circumstances would savor of temerity, and which nothing would have led me to do but a hope that by retrenching expenses they would be sooner induced to grant revenue. So thoroughly am I convinced of the superior economy which attends the present mode of supplying our armies, that I would have offered contracts for the southern department could I have formed any well-grounded expectation of moneys sufficient for the purpose from the southern States. Nor should I have been deterred even by the distance of the period at which it could be had, if I could have formed a reasonable reliance on it at some certain period. Our expenses, it is true, are retrenched, and to give an idea to what degree, I will mention that for the amount of salaries alone in the commissary's department to the northward of Potomac River between three and four thousand soldiers are now fed with full rations. But though the retrenchments are great the expenses are great also, and they must rapidly increase every moment in preparing for an early and vigorous campaign.

A view either of general politics or of our own situation will impress the conviction that we ought to make an early and vigorous campaign. The blow which the enemy have received in Virginia should be followed as soon as possible, before they have time for reflection, for reinforcement, or for defence. We must not imagine that Great Britain will be so stunned by this blow that she can not recover, or that she will, for such a check, abandon the object both of her interest and her wishes, an object in which her national existence appears to be combined with her national importance, and where every covetous and angry passion is strongly excited. What aid she may find from foreign powers must depend upon their manner of considering the propositions which may be made, perhaps upon their interests, and perhaps upon

their caprice. A nation which can hold at bay one-half the force of Europe is by no means a dispicable ally.

But whether she gets aid from others, or whether she draws it, as before, from the bowels of domestic credit and confidence, this at least is certain, that we ought to expect new efforts against us, and that we ought not to expect any in our favor. If, then, we can strike before she is ready to ward off the stroke, or bear the blow, our own people will be animated, the doubtful will be convinced, and the convinced will be confirmed. Nations who are friendly to us will give marks of amity. Nations who are hostile will be deterred from their attempts. The councils of our enemy will be distracted. Their intended succors may land on hostile ground, and where they want relief it may be too late to obtain it. At what point, and in what manner, and for what purpose our efforts are to be made is the province of the General to determine; but, I repeat again, it is our indispensable duty to put him speedily in possession of the means.

In order that anything effectual may be done, we must have both men and money, and we must have them early. On the 10th of December last Congress were pleased to call on the States in the most pressing manner to have their respective quotas in the field by the 1st day of March next; and they determined that recruits should be raised to complete the quotas at the expense of the States, in the first instance, to be reimbursed by the United States. The intention of these resolutions, however clear, may perhaps be misunderstood, and attempts made to deduct the expenditures of the recruiting service from the supplies which were required by the acts of the 30th of October and 3d of November. For this reason, and also that the States may be more effectually stimulated to comply with the views and wishes of Congress, I shall, before I close this letter, submit certain additions and explanations of their act of the 10th of December. At present I shall only observe that it gives me very sincere pleasure to find the United States in Congress so fully impressed with the necessity of early efforts. This circumstance leads me to hope that they will be equally impressed with the duty of urging a compliance with their requisitions. It is at least my duty to suggest it; a duty which I owe to America at large, and which no hope of praise or apprehension of blame shall induce me to neglect. I know there is a delicacy which influences some minds to treat the States with tenderness and even adulation while they are in the habitual inattention to the calls of national interest and honor. I know that delicacy, and I disclaim it. Nor will I be deterred from waking those who slumber on the brink of ruin. But my voice, sir, is feeble, and I must therefore pray to be assisted by the voice of the United States in Congress. Supported by them, I may, perhaps, do something; but without that support I must be a useless encumbrance.

It is also a duty to economise the moneys which are in our possession,

and it receives a double force of obligation from the peculiarity of our circumstances. What moneys the States may grant, and when they may grant them, is known only to Him who knoweth all things; but that which we have is certain, and ought not to be expended but for useful purposes. If we look back to the conduct of the several States in former times we shall find that the negligence with which they have treated the requests of Congress has been unequalled, unless by the earnestness of entreaty with which those requests were made, and I fear that there is little hope that the conduct now to be pursued will in one instant become the counterpart of former experiences. We have reason to apprehend a continuance of that shameful negligence which has marked us to a proverb, while all Europe gazed in astonishment at the unparalleled boldness and vastness of claims blended with an unparalleled indolence and imbecility of conduct. But let the several States be ever so negligent, the Confederation has given no power to compel. While it confers on Congress the privilege of asking everything, it has secured to each State the prerogative of granting nothing. Since, then, the Congress can not compel the States to make a grant of money, they must at least take care to prevent the States from making an unnecessary expenditure of those moneys which are in our possession. Nor is this all. We are called on by the principles of justice as well as of duty to prevent such expenditure.

The requisitions of Congress have been for men and money. The States have furnished officers, and transmitted a variety of accounts, demands, and complaints, but while officers continue numerous they have neglected to provide soldiers. Instead of it, some of them have formed State regiments, and given State bounties to fill those regiments; regiments confined to the limits of the State, as if the ultimate object of military employment were the show of parade or to consume the fruits of the earth. In the mean time the Continental officers, whose services have entitled them to respectful attention, and whose experience has enabled them to be essentially useful, are left without men to command, and forced to bear the mortification which must afflict every generous mind, perceiving themselves a useless burden to the community.

But while such pains are taken to enhance expense, every request for revenue to pay it is treated with neglect. Congress have determined to keep up the establishment agreed on in October, 1780. I shall, therefore, by no means propose any reduction; on the contrary, I am persuaded that nothing would so speedily terminate the war as the bringing such an army into the field, with proper funds and materials for its support and operation. This would render us truly independent, independent of the smiles of our friends and the frowns of our foes. But although I will not propose any reduction of our establishment, I can not consent that the Union bear the expense of a great number of officers without men to command. Neither will I propose the expedient of

sending them home upon half pay and liable to be called into service. This is an expedient for halving a difficulty which ought to be wholly cured, and at the same time it subjects the individual officer to very serious difficulties, which he has by no means merited. It is not the officer's fault that he has not men, and while he holds himself in readiness to obey the orders of his general, he ought to receive that compensation which his commission entitles him to. He ought, therefore, to draw his full pay and subsistence; but until the States provide men for him to command, that pay and subsistence should be drawn from the States. If the States will not find soldiers, the continent ought not to pay their officers. It is unequal and it is unjust. Some States at a great expense bring men into the field and lay taxes for the general support. Others send officers without men, and draw money from the treasury without putting any in it. I am regardless where the censure lights. If it fall nowhere, then all are innocent; but if it is merited, those to whom it applies must blame their own misconduct. My justification is already made in the mind of every honest man.

But it is not only necessary that the States bring men into the field; it is necessary that this be done at an early period. Recruits which do not join the army until the autumn come too late for anything but to increase expense and to lose their lives by the diseases incident at that season to those who have not the habits of a military life. Nor is this all; recruits sent forward at a late period only serve to fill up the vacancies occasioned by sickness, deaths, and desertions, without increasing the effective force of the army.

To remedy the evils which have been pointed out, I take the liberty to propose to the United States in Congress assembled a resolution—

That, on the first day of April next, accurate returns be made to the war office of every non-commissioned officer and private in the army and of the particular State to which they belong.

That every State be debited in account for the recruiting service for every non-commissioned officer and private assigned to such State, respectively, in October, 1780, the sum of one hundred dollars in specie.

That every State be credited in the said account for the recruiting service for every non-commissioned officer and private in the army and belonging to the States, respectively, on the said 1st day of April next, a like sum of one hundred dollars.

That, for every recruit that shall join after the 1st day of April and before the 2d day of May, the State shall be credited in the said account ninety dollars. For every recruit which shall join after the 1st day of May and before the 2d day of June, eighty dollars. For every recruit after the 1st of June and before the 2d day of July, seventy dollars. For every recruit after the 1st day of July and before the 2d day of August, sixty dollars. For every recruit after the 1st day of August and before the 2d day of September, fifty dollars. For every recruit after the first day of September and before the 2d day of October, forty



dollars. But that no allowance be made for any recruit whose period of enlistment shall be less than three years or during the war.

That every recruit shall be considered as joined as soon as he shall march for the place to which he is ordered on service, from the place of general rendezvous within the State, to be appointed by the commander-in-chief.

That, to determine such time of marching, the time of arrival shall be determined, and a time allowed for marching thither, calculating on the distance at the rate of fifteen miles per day.

That the recruits be maintained at the expense of the States until they shall join as aforesaid; but that during the time of marching an allowance be made to the State for each officer and man at the rate of one-sixtieth of a dollar per mile for every mile from the said place of rendezvous to the place where they shall arrive as aforesaid.

That the minister of War cause the several men of the different State lines to be arranged within their respective lines in such manner as to form complete corps, or parts of corps, so that there be a due proportion of men to the officers, according to the establishment, as near as may be.

That the remaining officers, excepting such as the commander-in-chief may think proper to retain in service for particular purposes, retire to their respective States until such times as the States shall provide men for them to command agreeably to the establishment; and that in the mean time the said States provide the pay, rations, and forage allowed to the officers respectively by the several resolutions and acts of Congress upon that subject.

And in order to explain fully the reasons for taking such measures, I would also propose that an address be prepared to the people of America, stating the want of power in Congress to take measures for the defence of the country, the conduct of the several States heretofore, the importance of making exertions in the present moment, with the dangerous consequences of inattention to and neglect of the late requisitions, and calling upon them to urge through their respective legislatures the measures recommended by Congress.

My reason for this proposal is a conviction that the people are heartily disposed to support the revolution, but that the public service is too frequently delayed by local disputes and animosities, which consume the time to be devoted to important purposes, and that individuals in the several legislatures are too apt to believe that by sparing grants they render themselves agreeable to their constituents, although in effect such policy can not but prove highly expensive and dangerous, if not destructive.

That Congress may be enabled to judge of the saving which would arise from the proposition I have had the honor of making with respect to the officers of our army, I enclose an estimate, by which it will appear that this would be upwards of sixty thousand dollars a month; and to



this must be added a further consideration of very great importance, that as the servants to officers are taken from among the soldiers, the army would in effect receive a considerable reinforcement.

With respect to the price of recruiting, I do not consider anything proposed as being by any means definitive. I have stated each at one hundred dollars, and I would suggest that, as the design is to raise men and not money, it is better to value them too high than too low. I am far from considering this as the best mode of recruiting an army. On the contrary, I am convinced that if it were a Continental instead of a State army, the raising, as well as maintaining of it, would be infinitely easier and cheaper; but under the present limited power which Congress are invested with, it becomes the duty of their servants to propose such measures as appear to them best.

What I have had the honor of stating is submitted with all possible deference, and I hope the decisions of Congress will be as speedy as the nature of the case will permit.

With perfect confidence of their wisdom, I have the honor to be, &c.,  
ROBERT MORRIS.

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Franklin to Adams.\*

PASSY, *February* 12, 1782.

SIR: I received the honor of yours dated the 7th instant, acquainting me with the presentation of several more bills drawn on Mr. Laurens. I think you will do well to accept them, and I shall endeavor to enable you to pay them. I should be glad to see a complete list of those you have already accepted. Perhaps from the series of numbers and the deficiencies one may be able to divine the sum that has been issued, of which we have never been informed, as we ought to have been. Ignorance of this has subjected me to the unpleasant task of making repeated demands, which displease our friends by seeming to have no end. The same is the case with the bills on Mr. Jay and on myself. This has, among other things, made me quite sick of my Gibeonite office, that of drawing water for the whole congregation of Israel. But I am happy to learn from our minister of finance that after the end of March next no further draft shall be made on me or trouble given me by drafts on others. The Duke de la Vauguyon must be with you before this time. I am impatient to hear the result of your States on the demand you have made of a categorical answer, &c. I think with you that it may be wrong to interrupt or perplex their deliberations by asking aids during the present critical situation of affairs.

I understood that the goods had all been delivered to Mr. Barclay, and I punctually paid all the bills. That gentleman now writes me

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\* 7 Bigelow's Franklin, 386; 7 J. Adams' Works, 509.

that those purchased of Gillon are detained on pretence of his debts. These new demands were never mentioned to me before. It has been, and will be a villainous affair from beginning to end.

With great esteem and respect, &c.,

B. FRANKLIN.

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Livingston to Franklin.\*

PHILADELPHIA, *February* 13, 1782.

DEAR SIR: We have been extremely alarmed at some communications which the minister of France made me from his last letters. They look extremely as if the Count de Vergennes imagined that neither Spain nor Holland was anxious for our success. They discourage the idea of a loan from them, or even from France. Our letters from Holland confirm these conjectures so far as they relate to that State. Mr. Adams seems almost to despair of doing anything with respect to an alliance or loan, and from Mr. Jay we have heard nothing in a very long time, and are ignorant of any steps he may have taken since the appointment of M. del Campo to treat with him.

These mortifying disappointments oblige us, though reluctantly, to call upon France for further assistance. Your solicitations will be infinitely useful to your country if they procure for it what I will venture to pronounce essential to their safety. In this spirit, the instruction which I do myself the honor to enclose has passed Congress, and a second resolution, which I also enclose, which leads to such information as will enable you to convince the court of France that their navy can nowhere be more effectually employed to distress the common enemy than in America. I own this consideration is a great relief to my feelings when we make these importunate demands for money, and I hope it will enable you to press them with some degree of dignity.

That France can aid us is not to be doubted, for it is certain she never carried on a war that distressed her finances less. She has no expensive subsidies to pay; her money is expended either at home or in a country from which it returns. Her army is not greatly increased, and her commerce, under the protection of her fleets, enjoys a security that it seldom has experienced before. I would not, however, have you suppose that this is the language I hold here. I know too well the necessity of making every exertion which in our present impoverished situation we are capable of; and I neglect no means which my present station puts in my power to call forth.

Congress have taken every wise measure for that purpose, and I firmly persuade myself that we shall be able to form the most vigorous co-operation with such force as his majesty may please to send out. I am confident that the peace must be made in America. Every blow here is fatal to the grand object of the present war; to the hopes, to the wishes, and to the pride of Great Britain. Other conquests she expects

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 215, with verbal changes.

to have restored upon a peace. What is lost here she knows to be lost forever.

The daily complaints that we receive from seamen confined in England concur with humanity and the national honor to render some expedient for their relief necessary. I need not, I am persuaded, recommend this to your particular care. We have not yet obtained, at least as far as I can learn, a compensation for the prisoners taken by Paul Jones and returned to England. It is impossible either to settle a cartel in Europe or to have the Americans confined there sent to New York for exchange. The last proposition is so much in favor of England, that it would probably be acceded to; and yet such is the distress of the people who have been long confined, that it would be desirable to have the offer made. I am just now applied to by Mrs. Simmonds, whose husband is the mate of a vessel, and has been two years confined in Mill prison. It would be an act of charity to attempt to procure his relief. You will do me the favor to collect and transmit a list of the numbers confined in England, and, as far as possible, for the satisfaction of their friends, of the names.

We have not a word of intelligence to communicate, unless it be some little disturbances in the country, which has been distinguished by the names of New Hampshire Grants, and Vermont, and which it may be proper to mention to you, since the facility with which the British deceive themselves, and the address with which they deceive others, may render it a matter of moment in Europe, though, in fact, it is none in America. The bulk of the people of that country are "*New England Presbyterian whigs*." Some of those in possession of the powers of government have more address than principle. Finding themselves exposed to inroads from Canada, they have tampered with that government, and pretended to be willing to form a treaty of neutrality with them during the war, and to return to the obedience of Britain on a peace. This has had the effect they intended, and in some measure defeated an expedition which the enemy made last year, and retained their main body in inaction at Ticonderoga, while the parties they sent to the westward were beaten and dispersed by our militia. The secret has been discovered, is disavowed by the people, and such measures are now taken that, by the time the King of Great Britain and his council (before whom the propositions now lie) have formed a plan in consequence of them, they will be made the means of drawing them into new difficulties.

I presume that you keep up a constant correspondence with Mr. Jay and Mr. Adams, and assist them with your information and advice. I must beg the favor of you to transmit them this intelligence, that they may be prepared to meet any assertions of the enemy on that head. I take leave to repeat to you my desire to have the papers and political publications sent regularly to this office.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON..

Adams to Livingston.\*

AMSTERDAM, *February* 14, 1782.

DEAR SIR: Yesterday the duplicate of your letter of the 23d of October was brought me; the original is not yet arrived. It is with great pleasure I learn that a minister is appointed for foreign affairs who is so capable of introducing into that department an order, a constancy, and an activity which could never be expected from a committee of Congress, so often changing and so much engaged in other great affairs, however excellent their qualifications or dispositions. Indeed, sir, it is of infinite importance to me to know the sentiments of Congress; yet I have never known them in any detail or with any regularity since I have been in Europe. I fear Congress have heard as little from me since I have been in Holland. My despatches by the way of St. Eustatia, and by several private vessels, and by the *South Carolina*, have been vastly unfortunate.

My situation, sir, has been very delicate; but as my whole life from my infancy has been passed through an uninterrupted series of delicate situations, when I find myself suddenly translated into a new one, the view of it neither confounds nor dismays me. I am very sensible, however, that such a habit of mind borders very nearly upon presumption, and deserves very serious reflections. My health is still precarious. My person has been thought by some to have been in danger; but at present I apprehend nothing to myself or the public.

This nation will have peace with England if they can obtain it upon honorable terms; but upon no other. They can not obtain it upon any other without giving offence to France, and England will not make peace upon such conditions. I shall, therefore, probably remain here in a very insipid and insignificant state a long time without any affront or answer. In the parties which divide the nation I have never taken any share. I have treated all men of all parties whom I saw alike, and have been used quite as well by the court party as their antagonists. Both parties have been in bodily fear of popular commotions, and the politics of both appear to me to be too much influenced by alternate fears, and, I must add, hopes of popular commotions. Both parties agree in their determinations to obtain peace with England, if they can; but Great Britain will not cease to be the tyrant of the ocean until she ceases to be the tyrant of America. She will give up her claims of empire over both together.

The Dutch have an undoubted right to judge for themselves whether it is for their interest to connect themselves with us or not. At present I have no reason to be dissatisfied. I have, in pursuance of the advice of the Count de Vergennes and the Duc de la Vauguyon, added to that of several members of the States, demanded an answer. I was received

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 536, with verbal changes; 7 J. Adams' Works, 510.

politely by all parties, though you will hear great complaints from others that I am not received well. They have their views in this; they know that this is a good string for them to touch. I stand now in an honorable light, openly and candidly demanding an answer in my public character. But it is the republic that stands in a less respectable situation, not one member of the sovereignty having yet ventured to give an answer in the negative. The dignity of the United States is therefore perfectly safe, and if that of this republic is questionable, this is their own fault, not ours. Your advice, to be well with the government, and to take no measures which may bring upon me a public affront, is perfectly just. All appearance of intrigue and all the refinements of politics have been as distant from my conduct as you know them to be from my natural and habitual character.

Your advice to spend much of my time at The Hague I shall in future pursue, though I have had reasons for a different conduct hitherto. As to connexions with the ministers of other powers, it is a matter of great delicacy. There is no power but what is interested directly or indirectly in our affairs at present. Every minister has at his own court a competitor, who keeps correspondences and spies, to be informed of every step; and open visits to or from any American minister are too dangerous for them to venture on. It must be managed with so much art, and be contrived in third places, and with so much unmeaning intrigue, that it should not be too much indulged, and after all nothing can come of it. There is not a minister of them all that is intrusted with anything but from time to time to execute positive instructions from his court.

A loan of money has given me vast anxiety. I have tried every experiment, and failed in all; and am fully of opinion that we never shall obtain a credit here until we have a treaty. When this will be I know not. If France has not other objects in view of more importance, in my opinion she may accomplish it in a short time. Whether she has or not, time must discover.

Mr. Barclay is here, doing his utmost to despatch the public effects here; but these will turn out the dearest goods that Congress ever purchased, if they ever arrive safe. It has been insinuated, I perceive, that I was privy to the purchase of a parcel of English manufactures among these goods. This is a mistake. It was carefully concealed from me, who certainly should not have countenanced it if I had known it. Mr. Barclay will exchange them all for the manufactures of Germany or Holland, or sell them here. The ordinance of Congress against British manufactures is universally approved, as far as I know, as an hostility against their enemies of more importance than the exertions of an army of twenty thousand men.

With great esteem. &c.,

JOHN ADAMS.

Franklin to Vergennes.\*

PASSY, *February* 15, 1782.

SIR: I received the letter your excellency did me the honor of writing to me the 6th instant, enclosing an *aperçu* of the situation of the Congress account for the year 1781. On considering that account this day there seems to me an error in stating one of the sums, viz, that of 2,216,000 livres. I have therefore drawn a new state of the account (which I enclose) wherein that sum is placed with the 4,000,000 as equally lent by the king to the United States, which I understood to have been the case. But if that was not his majesty's intention, the promises I have given to reimburse the same to the Tresor Royal on the 1st of January, 1788, with interest, should be returned to me. This will, however, derange exceedingly the operations of Mr. Morris, who imagines, as appears by his letters, that nearly the whole Dutch loan will be in my hands at his disposition. I can not, therefore, but wish, if not too inconvenient, to the Tresor Royal, that the said sum may be suffered to remain in its present situation.

With great and sincere respect, I am, sir, your excellency's, &c.

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Morris to the Governors of the States.†

OFFICE OF FINANCE, *February* 15, 1782.

SIR: In the circular letter which I did myself the honor to transmit on the 19th day of October last, I stated our situation as clearly and explicitly as I could, so that you might be in a capacity to form a solid judgment as to what would be proper. I am now to inform you that the most recent and authentic information from Europe contains the reiterated determination on the part of France to grant us no further pecuniary aid. Spain appears to have neither the inclination nor the ability to afford any, and in Holland it can only be obtained from individuals, who will always require security, and, of consequence, will not lend to the United States, who, as you well know, have no security to give. The want of proper funds has so reduced domestic credit, that we can draw no resources from thence, and until domestic credit is established, foreign credit can not exist, for it is absurd to expect that foreigners will confide in a Government which has not the confidence of its own citizens.

It is hardly possible to describe the consequences which have followed on a loss of credit. We have seen the people diffident, jealous, and unhappy, nor have they yet recovered, even where the removal of undue restrictions has given them time to breathe from the load of oppression. But the public is, if possible, in a still worse situation. No persons will trust the public from a deep apprehension of ruin if they

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\* MSS. Dep. of State.

† 6 Sparks' Dip. Rev. Corr., 434.



should, and consequently our operations must be bounded by the taxes which can be collected, while, at the same time, we must contend for our very existence as a free country at an expense which we can not limit, because we can not limit the efforts made against us. Whenever proper methods shall have been taken to restore credit, the benefits arising from it will be as evident to all as the want is now to those who are intrusted with the administration. Our expense at this moment is greater than it ought to be, though less than it was; and I can not retrench, because I have not sufficient means in my power, and have not at this moment any certain reliance on sufficient aid from the several States.

I am much inclined to believe that individuals in the several legislatures are unacquainted with the real state of affairs, or flatter themselves that they are better than they really are, even after information. If gentlemen would consider seriously the situation of the public servants, they would, at least, not suspect them of describing our dangers as greater than they are. They could not, for instance, suppose that I would give a high coloring to the disorders of our finances, because they must see that, on the contrary, I should derive a degree of credit from the general belief that such disorders do not exist. And when I declare my apprehensions, I injure so far my own operations. My reason for describing our situation in its true light is, that the States may be excited to grant us relief. I might, by an appearance of wealth, extend my operations for a little while; but, in the end, they would fail, and how we should then be extricated, no man can tell. At present I must bear the evils which result from the want of resources, and limit my views accordingly; but it would be madness to inculcate an opinion that things are worse than they are, because then I could not derive the full benefit of those resources which we have. You must, therefore, be convinced that I give you no exaggerated account, and I trust, sir, that your legislature will give due weight to assertions which they have every reason to believe, and which, if neglected, they will be convinced of by a melancholy and perhaps fatal experience.

Many people flatter themselves with the hope of peace. But on what is it founded? Has the enemy given the slightest evidence of a desire for it? Instead of suing for peace, they talk only of war; they prepare only for war; and when they might have got rid of one enemy by a word, they disdained it. Although Holland offered a separate peace, England refused to accept; nor have we heard that she has agreed even to negotiate for, much less to conclude, a general peace. She enjoys full credit, and, therefore, she can carry on the war; and the object of it on her part is so great, that therefore she will carry on the war. Hitherto she has carried it on alone and unsupported. Years have elapsed since it was pretended that she could not find resources for another campaign, and yet campaigns have succeeded each other with increasing expense, and are still likely to go on. With a credit

like hers, there can be no want of the means, and, therefore, we have no reason to expect that she will be deprived of them while that credit exists. How soon she may find associates, or how soon we may lose them, no man can say. While the mutability of all human affairs continues to be the theme of common and daily observation, no wise man will rely on the frailty of human opinion, and yet opinion may in a moment sway the politics of different powers, so as totally to change all present appearances. While the war continues England has hope. The times and chances which happen to all may favor her, and at worst, she can conclude a peace, which can not be much more pernicious than the loss of these States. We ought, therefore, to expect that Great Britain will continue the war, and we ought even to expect that she will find allies to assist her in it. We ought, therefore, to prepare ourselves for increasing efforts of opposition.

But admitting that negotiations were opened, and in a train of effect, what then would be our situation? Are we in capacity to insist on useful and honorable terms? There is hardly a State in the Union but has an interest in objects which, under our present circumstances, are unattainable. While the enemy continue in possession of New York and Charleston, we can not expect such a peace as every good American ought to desire. Nor shall we obtain that security without which peace is no longer a blessing.

The successes of the last campaign will undoubtedly derange the plans of the enemy for a time, but whether or not those successes will prove decisive must depend on ourselves. If we indolently lie still until the enemy can obtain reinforcements, our prospects at the close of next campaign may be as gloomy as at the opening of the last. If we exert ourselves to strike the enemy before he can receive aid, we may perhaps drive him entirely away, and then indeed we shall have reason to expect peace. It has been the common trick of the enemy to pretend at every success we have obtained, nay, during every winter of the war, that it would immediately cease, and they have had emissaries among us to inculcate that idea. The consequences have been, that we have never been in a state of preparation as soon as they have, notwithstanding the Atlantic Ocean lies between the two countries, and places them at least three months asunder as to all military operations.

No thinking man can hesitate a moment in the opinion that we ought to prepare for an early and vigorous campaign, in order to take New York and Charleston. But some persons of sanguine temperament say that the enemy will evacuate one of these places. If it be so, surely they will be so much stronger at the other, and of course it will be so much the more difficult to expel them from it. Possibly they may incline to evacuate one of these places, and if so, they will be determined by the knowledge of our force. If we are formidable, it will be an additional reason with them for evacuation. But other persons still more sanguine suppose that they will evacuate both places. This

is surely absurd, for even if they negotiate for peace, they will hold something as a ground on which to make demands, and if they prosecute war, they will certainly not abandon the objects of it. Admitting, however, that the enemy may have some thoughts of this sort, surely the determination will be greatly influenced by the consideration of our relative force or imbecility. And even if they should entirely quit the United States, still there are objects well worth fighting for; objects, too, which can not be obtained without fighting.

Every reason, therefore, combines in showing the propriety of commencing our operations very early, and therefore everything has been done for the purpose which the means in my power would admit of. It remains only with the several States to provide men and money and to make that provision as early as possible; for the old adage that "he who gives early doubles thereby his gift," can never be more applicable than on the present occasion. For whatever may be the different opinions of different men, all must agree that the only way to secure peace is to be prepared for war. And depend upon it that if we neglect the present moment we shall have bitter cause to lament our negligence.

In the letter before mentioned I did myself the honor to observe that I expected the future expenditures would be greatly curtailed. This has happened, but I also observed that the most rigid economy had its bounds, and could not exist without the punctual performance of those engagements on which the first steps towards it must depend. I have not yet reached those bounds for reasons I have already stated, and how it will be before I arrive at them must depend on the ability to perform the engagements I have made; and surely it is unnecessary to add, that this ability must depend on the exertions of the States. I mentioned also that I should shortly advertise for contracts as the most effectual means of husbanding our resources.

With respect to this matter of contracts I have some reason to believe that it has been misunderstood, and therefore I shall take the liberty of giving some little information on the subject. When I was called into office I had a thorough conviction that supplying by contracts was the most effectual and most economical, but I had no money, and credit was at so low an ebb that most people doubted whether any one would contract. At that time the State of Pennsylvania gave me assurances of hard money to procure the articles of specific supplies due from that State on the requisition of Congress. I immediately purchased a part of those supplies on my private and personal credit and assurances, and I advertised for a contract to supply rations at Philadelphia. By degrees I extended the contract throughout Pennsylvania; whereas if I had advertised for them at once I might probably have failed in obtaining proposals; or if not, those who inclined to risk it would have made the public pay dear for the credit reposed in the minister. The contracts of Pennsylvania were paid out of moneys granted for furnishing the supplies, and the articles are carried to account on the requisi-

tions. Having reason to expect support from the middle and eastern States, I have extended the contracts for supplies through all the country northward and eastward of Potomac River; and in order that you may judge of the effect, I will mention that on application for pay to the department of the issuing commissary I required a return of them and of their monthly pay; which being made, I found that within that district it amounted to ten thousand five hundred and twenty-five dollars; which is annually for the salary alone exclusive of all other expenses, one hundred and twenty-six thousand dollars.

The rations delivered at West Point and its dependencies are supplied at the rate of nine and a half ninetieths of a dollar for each ration; consequently that sum will yield one million one hundred and ninety-six thousand five hundred and twenty-six rations, which is something more than three thousand two hundred and seventy-eight per day. But when it is considered that salaries were not the only expenses of a department, it is certainly estimating within bounds to suppose that five thousand soldiers are now fed every day on what it formerly cost the public to support the issuers of provisions in a part of the United States. I should have pursued the business of contracting throughout America had I received any assurances of taxation which would warrant the procedure. But I had none, and did not dare risk myself in making engagements which I found no probability of keeping. But whenever I can see any way clear, I shall certainly do it, and I trust that the effects will be as beneficial as they have been elsewhere.

Having already observed on the necessity of early and vigorous exertions and mentioned that I had done everything towards them which was in my power, I have only to add that unless we are properly supported everything so done has been thrown away. The views of the commander-in-chief will be disappointed; the combinations intended with our allies will be deranged, and the enemy will derive that advantage from our negligence which we might have derived from their weakness.

It gives me great pain to learn that the public service is too often interrupted, and the attention of men diverted from it, by little trivial disputes of a private, partial, or local nature, which are comparatively of little consequence. This is a conduct unworthy of wise men, and such as can not be justified. Surely, it is best first to provide for the defence of our country before we squabble about minute objects of controversy. If we should be told that the British were so materially divided in their Parliament that in contentions about trivial disputes they delayed granting to the crown effectual aid of money, we should certainly form very splendid expectations from that circumstance. Judge, then, whether our enemy's hopes are not raised by our dissensions. Or rather, let me ask, if they have not loudly asserted that they would prove ruinous to the cause of independence; nay, have they not boasted that those dissensions originated in British influence or British gold?

What, then, must be opinion of foreigners and strangers? What will they not conclude from a conduct which, according to their habits of reasoning, can only be accounted for by disaffection, folly, or madness? Let us, for heaven's sake, while engaged in a cause the most honorable, the most virtuous, and which must endear the present generation to future ages, let us preserve a conduct noble, dignified, and worthy of that glorious cause; in pursuit of the greatest, the dearest object which man can possess, in the fair road to peace, liberty, and safety, let us not fall out by the way. But, united to and supporting each other, let our efforts be equal to our claims, and let us show that we have the perseverance to obtain what we had the spirit to demand. Let us at once become independent, really and truly independent, independent of our enemies, of our friends, of all but the Omnipotent.

I have the honor to be, &c.,

ROBERT MORRIS.

Franklin to Hartley.\*

PASSY, *February 16, 1782.*

DEAR SIR: I received your favor of the 24th past. You have taken pains to rectify a mistake of mine relating to the aim of your letters. I accept kindly your replication, and I hope you will excuse my error when you reflect that I knew of no consent given by France to our treating separately of peace, and that there has been mixed in some of your conversations and letters various reasonings to show that, if France should require something of us that was unreasonable, we then should not be obliged by our treaty to join with her in continuing the war. As there had never been such requisition, what could I think of such discourses? I thought as I suppose an honest woman would think if a gallant should entertain her with suppositions of cases in which infidelity to her husband would be justifiable. Would not she naturally imagine, seeing no other foundation or motive for such conversation, that, if he could once get her to admit the general principle, his intended next step would be to persuade her that such a case actually existed. Thus, knowing your dislike of France, and your strong desire of recovering America to England, I was impressed with the idea that such an infidelity on our part would not be disagreeable to you, and that you were therefore aiming to lessen in my mind the horror I conceived at the idea of it. But we will finish here by mutually agreeing that neither you were capable of proposing, nor I of acting on, such principles.

I can not, however, forbear endeavoring to give a little possible utility to this letter, by saying something on your case of Dunkirk. You do not see why two nations should be deemed natural enemies to each

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\* 2 Sparks' Dip. Rev. Corr., 218; 9 Sparks' Franklin, 163; 7 Bigelow's Franklin, 391.



other; nor do I, unless one or both of them are naturally mischievous and insolent. But I can see how enmities long continued, even during a peace, tend to shorten that peace and to rekindle a war; and this is when either party, having an advantage in war, shall exact conditions in the treaty of peace that are goading and constantly mortifying to the other. I take this to be the case of your "Commissioner at Dunkirk." What would be your feelings if France should take and hold possession of Portsmouth, or Spain of Plymouth, after a peace, as you formerly held Calais, and now hold Gibraltar; or, on restoring your ports, should insist on having an insolent commissioner stationed there to forbid your placing one stone upon another by way of fortification? You would probably not be very easy under such a stipulation. If, therefore, you desire a peace that may be *firm* and durable, think no more of such extravagant demands. It is not necessary to give my opinion further on that point, yet I may add frankly, as this is merely private conversation between you and me, that I do think a faithful ally, especially when under obligations for such great and generous assistance as we have received, should fight as long as he is able to prevent, as far as his continuing to fight may prevent, his friends being compelled again to suffer such an insult.

My dear friend, the true pains you are taking to restore peace, whatever may be the success, entitle you to the esteem of all good men. If your ministers really desire peace, methinks they would do well to *empower* some person to make propositions for that purpose. One or other of the parties at war must take the first step. To do this belongs properly to the wisest. America being a novice in such affairs has no pretence to that character; and, indeed, after the answer given by Lord Stormont (when we proposed to him something relative to the mutual treatment of prisoners with humanity) that "*the king's ministers receive no applications from rebels unless when they come to implore his majesty's clemency,*" it can not be expected that we should hazard the exposing ourselves again to such insolence. All I can say further at present is, that, in my opinion, your enemies do not aim at your destruction, and that, if you propose a treaty you will find them reasonable in their demands, provided that on your side they meet with the same good dispositions. But do not dream of dividing us; you will certainly never be able to effect it.

With great regard and affection, I am ever, dear sir, your most obedient and most humble servant,

B. FRANKLIN.



Jay to Livingston.\*

MADRID, *February* 16, 1782.

DEAR SIR: No letters by the Marquis de La Fayette have as yet reached me. I had the honor of writing to you on the 6th and 13th instant.

We were yesterday informed, and so the fact is, that the Castle of St. Philip surrendered by capitulation to the Duc de Crillon on the 4th instant. There was no breach made, nor any of the outworks taken. The garrison are to go to England and remain prisoners of war till exchanged.

I am to go to the Pardo this evening. There I shall learn some further details from the minister. If I return sufficiently early for the post, they shall be subjoined.

Things look better just at present; but my sky has hitherto been so like an April one, that I dare not as yet flatter you or myself with settled fair weather.

I am, dear sir, with great esteem and regard, &c.,

JOHN JAY.

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 Jay to Livingston.†
MADRID, *February* 18, 1782.

DEAR SIR: I wrote to you a short letter on the 16th instant. I have procured a copy of the gazette to be published to-morrow, and I send enclosed as much of it as contains the articles of capitulation for Fort St. Philip. This event takes place very opportunely, and will have a fine effect in England. Things begin to look more promising; but I avoid particulars for a week or two, that I may have a better opportunity of judging what reliance may be placed in present appearances.

With great esteem and regard, I am, dear sir, &c.,

JOHN JAY.

P. S.—Not a letter yet by the Marquis de La Fayette.

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 Morris to the President of Congress.‡
OFFICE OF FINANCE, *February* 18, 1782.

SIR: I do myself the honor to submit to the United States in Congress assembled, through your excellency, the propriety and necessity of adopting immediate measures for adjusting the accounts of the four

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 377; 2 Corr. and Pub. Papers of John Jay, 178.

† MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 378.

‡ MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 440.

following departments, namely: the commissary's, the quartermaster's, the hospital, and the marine, up to the last day of December, 1781, inclusive. Having long and attentively considered this subject, it appears to me to be among those cases which do not admit of the common forms. There must be a degree of vigor and decision in the conduct of the business which few men possess a knowledge of—business not commonly to be found, and such uncorrupted and uncorruptible integrity as will give security to the United States. What may be an adequate reward for the services of such men I really do not know, but I have such reason to believe that many fraudulent practices have happened, and that in some cases considerable balances are due to the United States, that I can not in consistency with my duty avoid proposing to Congress the following resolutions:

That four commissioners be appointed for the settlement of accounts, namely, one for the commissary's department, one for the quartermaster's department, one for the hospital department, and one for the marine department; and that each of the said commissioners have full power and authority to liquidate the said respective accounts up to the last day of December, 1781, inclusive.

That the superintendent of finance be authorized and directed to appoint the said commissioners and to agree with them for a reward for their services respectively, and also with respect to the allowances to be made to their clerks; and that he report the names of the said commissioners to Congress.

That it be recommended to the several States immediately to pass laws authorizing such commissioners to send for persons and papers and to examine witnesses upon oath.

These I propose only as a sketch, which the wisdom of the United States in Congress will mold into such forms as shall be most proper. I will only observe one thing, which is that the proposition that I should appoint such commissioners comes from me. I have no particular persons in view, but shall be happy to find those who are proper. I am far from being desirous of appointment to office, but this is an occasion so important, that I can not sacrifice my duty to false notions of delicacy. Characters fit for such an intricate and difficult business can not easily be found, still less can they be known to the several members of Congress, and the debates which sometimes take place when appointments are made deter the most proper persons from putting themselves in the way of nomination. Besides this, as it is not possible that the several members can be sufficiently acquainted with the talents of the particular persons, it is better that the appointments should be in one who can be made accountable for an improper choice, I take the liberty to observe that nothing will give more satisfaction to the people at large than to find that these things are put in a proper train, for the complaints are general, and I am convinced that in some cases at least they are well founded.

My reason for urging this matter at the present moment is, that I am not only pressed on the subject by several dismissed officers of those departments and by their creditors, but I have also had recent information of very considerable frauds and practices, and on conferring with the controller of the treasury this morning the plan above proposed appeared not only the most eligible, but indeed the only effectual one. It is submitted, with all due deference, by your excellency's most obedient, &c.,

ROBERT MORRIS.

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Carmichael to Livingston.\*

No. 3.

MADRID, *February* 18, 1782.

SIR: I have just had the pleasure of receiving your letter of the 20th of December, and seize the earliest opportunity of acknowledging the satisfaction I feel in the hope of a more regular correspondence than I have hitherto had with your department. The moment I was informed, indirectly, of your appointment, I did myself the honor of addressing you. My first letter (No. 1) was dated the same day you wrote the one above mentioned. On the 24th ultimo, I again solicited your attention, and as I sent quadruplicates of these letters, I think I may venture to refer you to their contents for accounts of the state of affairs and the general intelligence at the time of writing them.

I find by your letter that mine, written in the month of September, had not reached Congress. I sent three copies, via Bilboa, by the Captains Tracy, Cook, and another whose name my correspondents omitted to mention to me. I have had the mortification to hear lately that these vessels were all taken on the coasts of America. The fourth copy was sent from France, so that I still hope it may have escaped the misfortune of the others. Nothing gives me, or can give me more pleasure than the idea of contributing to the satisfaction of Congress, while I feel a duty which a sense of their confidence and a desire of meriting a continuance of it imposes on me. I am only sorry that my abilities and opportunities do not correspond with my wishes to render my communications more useful. I have already requested you in the letters above mentioned to point out the line of my duty.

I am infinitely obliged to you for what you mention with respect to my apprehensions of being sent to Corunna, and having your sanction to direct my conduct in future. I shall implicitly follow Mr. Jay's directions should he even choose to send me as a courier to be the bearer of despatches to the seaports. The reason assigned in your letter, joined to others which I had the honor to mention in mine to the committee, were such as I suggested when I expressed a reluctance to be employed

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\*MSS. Dep. of State, 5 Sparks' Dip. Rev. Corr., 77, with verbal changes.

with discretionary powers in this business. I was prepared, however, to execute Mr. Jay's orders, but I believe ulterior reflections, and the advice of the French ambassador, induced him to relinquish the idea of sending me.

I have no cipher from Mr. Morris, and have seen none from him. I must, therefore, again request you to forward me one under cover to Messrs. Barclay and Harrison, with directions to these gentlemen to forward your letters by private hands, and not by the post, for I fear that one you sent to Mr. Jay has been intercepted. No delicacy is preserved by this court on this head. This practice is not confined to us but extends to the correspondence of all the *corps diplomatique*. It has happened that in the hurry of resealing letters thus examined, papers belonging to the department in which they were opened have been carelessly enclosed by the Secretary, and returned to the minister by the person to whom the letters were addressed. Without a cipher it will be impossible for me to be so punctual as may be expected, for at present I am obliged to send most of my letters by private hands or by the French ambassador's couriers to the seaports, which circumstance often retards their arrival in America.

Our situation with respect to money matters is still critical. The drafts which Dr. Franklin is obliged to pay are so frequent that he has not been able to obtain cash to enable Mr. Jay to discharge the bills accepted by him here, for which M. Cabarrus, as has been mentioned in former letters, is nearly forty thousand dollars in advance. Happily there are few bills due until the middle of next month, which will give Dr. Franklin time to endeavor to save our credit here and to this ministry to reflect on the consequences of denying us this small succor. The Count de Florida Blanca has been lately solicited on this subject by the French ambassador, and without giving hopes of affording the sum demanded, he promised to do what the urgency of their own wants permit him to do for us. In this conversation he appeared dissatisfied that Congress has taken no notice of the desire he had expressed of obtaining one of the vessels constructing in the eastern ports for the United States, and complained that no returns had been made by the States to the proofs the king had manifested of his favorable disposition towards them. In fact their own necessities are evident.

In addition to what I have heretofore mentioned on this head, I have lately been informed from good authority, that a person to whom the crown is indebted twelve millions of reals, in order to obtain payment, has been constrained to propose to purchase the salt belonging to his majesty, to the amount of twenty-four millions of reals, for the payment of which, after deducting the sum due to him, he is obliged to advance immediately five millions of reals, although he has little hopes of dis-embarrassing himself shortly of such an immense quantity of an article for which there is little demand at present. The minister, to soften the harshness of his refusal to make further advances, informed the

Count de Montmorin that M. Del Campo's instructions would be ready in a few days, and that Mr. Jay might then commence his conferences on the subject of the proposed treaty. If I may be allowed to hazard a conjecture again on this subject, I must repeat what I have often mentioned already, that Spain seems desirous of retarding this business until a general treaty takes place. Perhaps it may not be unworthy the attention of Congress to prepare eventual resolutions should this prove to be the intentions of the court.

Since commencing this letter we have the agreeable news of the capitulation of Mahon the 5th inst., in twenty-eight days after the trenches were opened. The garrison are prisoners of war, and, including sailors, &c., amount to two thousand six hundred men. Sickness, which reduced their numbers of effective men to one thousand three hundred, unwholesome provision, fatigue, and despair of succor are the motives assigned by the governor for the surrender of this important place, which has cost Spain two hundred killed and three hundred wounded. The joy of the court is excessive. The Count de Florida Blanca has the merit of having planned this expedition. It is said the fortifications are to be entirely ruined and the port rendered incapable of receiving large vessels. The officer charged with the despatches announcing this event accuses our allies of having shown a backwardness and reluctance to assist in this siege, which has excited much indignation here. The Princess of Asturias said publicly at dinner that the Spaniards had taken Fort St. Phillip in sight of four thousand spectators (meaning the French troops.) I had this from a foreign minister who was present. I am persuaded the charge is without foundation, but still it will have a bad effect and augment a national animosity which prevails too much already.

It is probable that the siege of Gibraltar will now be pushed with more vigor. It is the king's favorite object, and the Duc de Crillon I know is of the opinion that it may be taken. His late success will give weight to his opinion. I have been told that the Irish, who obtained permission to return to the seaports after being exiled from thence for several months, will be again ordered to quit them. This circumstance induces me to believe that vigorous efforts will be made to take Gibraltar. The Spanish fleet has returned to Cadiz, where it will not remain long, the magazines being abundantly provided; and although there is no great number of workmen or docks for the repair of vessels of the line, yet as few of the ships have suffered in their cruise, these inconveniences will not be felt. The Count de Guichen was ready for sea the 25th ultimo, and only waited for a wind. His fleet consists of ten sail of the line, which has under its convoy fifty sail of transports; five of the first mentioned are destined for Cadiz, to join the Spanish fleet, which will then be superior to any the enemy can assemble in the seas of Europe. Admiral Rodney was still in the channel the 22d ultimo, and will probably push for the West Indies without any transports,

the convoys for the West and East Indies and America not being yet in readiness. It is said that great reinforcements are to be sent to these quarters. Lord George Germaine, it is said, will resign and be succeeded by Welbore Ellis.\*

The Russian and Imperial ministers still interpose their good offices to mediate a peace. The neutral ministers say here that Lord Stormont in a late conversation with the first mentioned declared with heat that his sovereign would treat with France on the subject of our independence when a French army was in possession of the Tower of London, and not before, and that they would negotiate with Spain for the cession of Gibraltar in exchange for the city of Madrid. I should not commit this extravagance to paper if I had not heard it mentioned by the Count de Montmorin and other ministers.

Mr. Adams has demanded a categorical answer from the States-General to the proposition he made them on behalf of the United States. The Dutch secretary here informs me that his letter was well received. The Dutch minister at this court has invited me to his house since the presentation of the above-mentioned demand. I have lately had conversation with the Swedish minister, which I hope will enable me two months hence to give you some information of the disposition of his court. This minister is exceedingly well disposed to forward a connection between Sweden and America, as is the Baron de Ramel, formerly minister here, now vice-chancellor of Sweden, to whose good offices I believe I owe the countenance and civilities of its representative here.

The *cedula* for the bank will appear shortly. I shall take care to forward that and any other paper that I think worthy your attention. I have sent the Madrid Gazette to Mr. Harrison, and have desired him to forward it in future. This gentleman is every way deserving your esteem and notice. He acts at present as consul for America at Cadiz, and has been very useful there. His good sense and agreeable manners have acquired the good-will of natives and foreigners.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

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Luzerne to Livingston.†

[Translation.]

PHILADELPHIA, *February* 18, 1782.

SIR: The minister plenipotentiary of France has the honor of communicating to Mr. Livingston a letter from the Marquis de Bouillé, commanding officer of the Windward Islands, and a memorial presented

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\* Afterwards Lord Clifden, the "respectable Ellis" of Horace Walpole, and the object of peculiar vituperation by "Junius." His appointment as Lord George Germaine's successor was supposed to indicate a cessation of warlike movements in America.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 47.



to that General by the council and assembly of the Island of Dominica. One of the two cases mentioned in them, that of the Dutch vessel the *Resolution*, has been decided by the court of appeals, and the sentence of the court of admiralty of Philadelphia has been amended in almost every point. The case of the *Eeirsten* has been decided at Boston in the first instance, and recently by the supreme court of appeals. As the annexed papers seem to contain means for the revision of the first case, and proofs which were not known to the judges when the decision was made, the undersigned has the honor of communicating them to Mr. Livingston, and requests him to be pleased, after reading them, to send them back to him.

The agent of the merchants at Dominica designs to solicit the said revision, with a view to have all the cargo, without exception, acquitted. The undersigned minister flatters himself that Congress will be pleased to enable the said agent to avail himself of the new proofs which he says that he has obtained. The letter of the Marquis de Bouillé and the request of the council and assembly of Dominica may hereafter serve to determine the true meaning of the capitulations of the English islands taken by the forces of his majesty; and it is for this reason also that the undersigned requests that they may be laid before the tribunal of appeals. This letter and this request leave no room to doubt that the Ostend ship *Eeirsten* sailed under the faith of the capitulation, and that her owners ought to participate in the advantages secured by it to the capitulators.

The undersigned minister appeals to the justice of Congress and of the American tribunals in favor of those inhabitants or capitulators of the Island of Dominica, who are interested in the cargo of this ship as subjects of the king, his master, and in favor of those people of Ostend who are interested, as subjects of his Imperial majesty, who is allied to the king, his master, both by blood and by treaties.

LUZERNE.

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Bouillé to Luzerne.\*

[Translation.]

[WITHOUT DATE.]

SIR: I have the honor to transmit you a memorial from the council and assembly of the Island of Dominica, who lay claim to the Dutch ship *Resolution*, Captain Waterburg, which has been retaken from an English privateer from Carolina by the American privateer *Ariel*, belonging to Messrs. Robert Morris, Samuel Inglis, and William Bingham, brought into Philadelphia, and condemned there as a legal prize.

This neutral ship, employed in the exportation of the produce of Dominica, by virtue of the proclamation of his Britannic majesty in favor

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\* 6 Sparks' Dip. Rev. Corr., 48.

of neutral ships bound for the British colonies, conquered by France in the course of this war, would not have been condemned as a legal prize had it remained in the power of the British privateer and been brought into a port belonging to his Britannic majesty. She could not, then, be condemned by the admiralty of Philadelphia, since that court could not consider her otherwise than as a neutral vessel sailing under the faith of his Britannic majesty's proclamation, which the commander of the English privateer was no doubt ignorant of, and after which she could no longer be considered as a recapture.

This affair, sir, deserves all your attention, and the particular protection which I request you to grant it, that the owners of this vessel may obtain from the council of prizes of the United States the justice due to them.

It is feared at Dominica lest the Ostendian ship *Eeirsten*, Captain Thomson, which sailed for the said Island and was taken by an American privateer and brought into Boston, may likewise have been condemned; and should this have been the case, I also request your interposition in favor of the owners of said vessel.

I have the honor to be, &c.,

BOUILLÉ.

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#### MEMORIAL OF THE COUNCIL OF DOMINICA.

To his excellency the Marquis de Bouillé, marshal of the king's camp and armies, lieutenant-general and governor-general in and over the islands of Martinico, Dominica, Grenada, and St. Vincent, Tobago, &c., &c.:

The memorial of the council and assembly, representing the capitulants of this Island.

By virtue of the 7th article of the capitulation signed by your excellency, the capitulants of this Island were authorised to ship the produce of their estates in neutral ships to neutral ports in Europe, and to receive from them the necessary supplies of provisions and plantation stores.

Annexed to the oaths of the respective shippers of produce on neutral vessels his excellency the Marquis de Chilleau, his majesty's governor in this island, granted to the master of each vessel his certificate that such shippers were capitulants, and the produce laden in such vessel was the growth of their estates, and therein recommended those vessels and their cargoes to the protection of all his majesty's subjects, those of his most Catholic majesty, and to the Americans in alliance with France. These certificates were always respected till now, and in consequence such neutral vessels, although detained and examined at different times, arrived at their destined ports.

To the infinite surprise of your memorialists they have received advice from Philadelphia that the Dutch ship the *Resolution*, Captain Waterburg, was retaken from an English privateer belonging to Carolina by the *Ariel*, an American privateer, belonging to Messrs. Robert Morris, Samuel Inglis, and William Bingham, of Philadelphia, carried into that city, and was there condemned and sold, with her cargo, without respecting either the capitulation or the certificate and recommendation of his excellency the Marquis du Chilleau. This ship was loaded at Dominica and regularly cleared there for Amsterdam within the time limited by his Britannic majesty's proclamation in favor of the Dutch vessels loading in the conquered island, the commander of the Carolina privateer, unacquainted with the proclamation, had detained her as a Dutch ship. That this ship would certainly have been released in Carolina can

not even be doubted, as she had before been carried into the Island of Nevis on the same voyage, and released with a compensation after her papers were examined.

Your memorialists have received further advice that another American privateer has taken and carried into Boston the Ostend brig *Eeirsten*, Captain Thomson, bound from that port to this Island, and laden with provisions and plantation stores for the estates of your memorialists, where we fear she will have the same fate.

If the Americans should persist and be authorised to take and confiscate neutral vessels loaded with the produce of capitulants' estates under the authority of the French Government, and those who in return are loaded with the provisions essentially necessary to them, what is the trade of this Island? This must put an effectual end to it; what resources are then left to us?

The inhabitants of this Island are capitulants, and they dare flatter themselves that under their present government they have the merit of having constantly manifested the most uniform propriety of conduct. The Americans should not only have respected, but protected their property; bound to do so by their treaty of friendship with France, by the capitulation, and by the certificate and recommendation of the French governor.

Your memorialists do therefore most earnestly entreat that your excellency will be pleased to take this memorial into consideration.

Council Chamber, in Roseau, the 23d day of November, 1781.\*

ABRAHAM SHAW,  
*President in Council.*

House of Assembly, Roseau, this 23d day of November, 1781.

J. MORSE,  
*Speaker of the House Assembly.*

#### Livingston to the Governors of the States.†

PHILADELPHIA, *February* 18, 1782.

SIR: I do myself the honor to transmit to your excellency several resolutions of Congress, which, having a reference to the Department of Foreign Affairs, are in course to go through this office. The necessity of carrying them into effect is too obvious to need observations.

While we hold an intercourse with civilized nations, we must conform to laws which humanity has established and which custom has conse-

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\*Extract from an authentic copy of the capitulation granted by the Marquis de Bouillé to the Island of Dominica:

"ARTICLE 7th. That they (the inhabitants of Dominica) shall pay no other duty to his most Christian majesty than they have paid to his Britannic majesty, without any charge or imposts. The expenses attending the administration of justice, the minister's stipends, and other customary charges shall be paid out of the revenue of his most Christian majesty in the same manner as under the government of his Britannic majesty.

"Granted, and that the inhabitants of Dominica may freely export their produce to all parts on paying into the custom-house the duties which the inhabitants of the French islands pay in the islands or in Europe; but the expenses for administration of justice shall be paid by the colony.

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"ARTICLE 17th. The merchants of the island may receive vessels to their address from all parts of the world without their being confiscated, and they may sell their merchandise and carry on their trade; and the ports shall be entirely free for them for that purpose, paying the customary duties paid in the French islands.

"Granted until the peace, English vessels excepted."—SPARKS.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 157, with verbal changes.

crated among them. On this the rights which the United States or their citizens may claim in foreign countries must be founded.

The resolution No. 2 passed Congress in consequence of a convention about to be concluded between his most Christian majesty and the United States of America, which affords an additional reason for paying it the earliest attention. Your excellency and the legislature will see the propriety of rendering the laws on these subjects as simple and the execution of them as expeditious as possible, since foreigners, who are the great object of them, are easily disgusted at complex systems, which they find a difficulty in understanding, and the honor and peace of a nation are frequently as much wounded by a delay as by a denial of justice.

Another resolution relates to your boundaries, and is designed as one means of ascertaining the territorial rights of the United States collectively, which can only be accurately known by each State's exhibiting its claims and the evidence on which they found them. Your excellency will therefore be pleased to direct authentic copies from your records of all grants, charters, maps, treaties with the natives, and other evidences, to be transmitted to this office as soon as you can conveniently collect them. I could wish that the copies might be proved by having the great seal of your State annexed.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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**Livingston to Rutledge, Governor of South Carolina.\***

OFFICE OF FOREIGN AFFAIRS,  
*Philadelphia, February 19, 1782.*

DEAR SIR: I wish to avail myself of the opportunity Colonel Ternant affords me to convey the agreeable intelligence contained in the enclosed letter from Mr. Harrison, our agent at Cadiz. Many other objects present themselves, on which I would write could I do it without detaining Colonel Ternant, who only waits for this.

I propose to have the honor of writing more at large by the next safe conveyance. In the mean while I should consider it as a favor which might be rendered useful to the public, as well as agreeable to me, if your excellency would open a correspondence with this office, in which an exact state of affairs in the government over which you preside ought to be detailed, which could not fail to have some influence in the direction of our foreign affairs.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 158.

## Livingston to the Governors of the States.\*

PHILADELPHIA, *February* 19, 1782.

SIR: Where a government is composed of independent states, united not by the power of a sovereign, but by their common interest, the executive departments form a centre of communication between each state and their chief council, and are so far links of the chain which should bind them together, as they render to each similar views of great national objects, and introduce unanimity in their measures for the establishment of general interests. A mistaken idea of our own importance to other nations, of their attachment to us, and of the weakness of our common enemy having lulled us into a very imprudent security, I beg leave to state to your excellency the information last received from Europe. Our success in this important war, under the favor of Heaven, must be built upon the weakness of our enemy, the strength and perseverance of her foes in Europe, and our own exertions.

It is an undeniable fact that Britain has not, in the course of the last campaign, gained any advantage of her enemies, but, on the contrary, has seen their fleets ride triumphant in the seas she proudly called her own, and an army in which she placed her fondest hopes made captive. But, on the other hand, we are compelled to admit that she has met with no such reverse of fortune as materially to debilitate her or weaken her resources for another campaign. Her trade has, for the most part, returned in safety. Her fleets have blocked up those of the Dutch, and, upon the separation of the combined fleets, recovered the superiority in the European seas. The army taken in America is only so far decidedly ruinous to her affairs here as we know how to avail ourselves of the advantage it affords.

That her pride is not humbled, that she did not wish for peace prior to this advantage is obvious, 1st, from her refusing to make a separate treaty with the Dutch, who, under the mediation of the Empress of Russia, seemed anxiously to wish it; 2dly, from her neglect to notice the last proposals of the mediating powers, which yet remain unanswered; so that if any alteration is made in their sentiments on this subject they must originate in their ill success in America, for in every other quarter their defensive war seems to have been supported with advantage. How far this will operate admits of a doubt which prudence directs us not to rely upon. Money, the great support of modern wars, has been raised with more facility in England than in any country in the world; and we find the minority last year censuring Lord North for giving the advantage of lending to his friends. Their losses may indeed render subscriptions more expensive to the public; but there is no well-grounded room to suppose they will not fill up, and still less reason to believe, if the means for carrying on the war are at-

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\* MSS. Dep. of State; 6 Spark's Dip. Rev. Corr., 159, with verbal changes.

tainable, that the vindictive spirit of the king and his ministry and the overweening pride of the nation will soon yield to make a peace which involves their disgrace and humiliation. But as strength or weakness are mere comparative terms, we can form no judgment of the measures of Britain but by attending to the force and disposition of her enemies.

The United Provinces are evidently dragged into the war, and have prosecuted it as if they momentarily expected a peace. The colonies in the West Indies have been taken without being in a state to make the smallest resistance, and the active interposition of France alone saved those in the east from sharing the same fate. Our last letters from Holland place the distress of their commerce in a strong point of view. They are unhappily rent by parties which clog the wheels of government, though it is said the party opposed to England are the most numerous and growing in strength, so that at some future day we may reasonably hope they will assume the entire ascendancy; yet we can build very little on this till the close of another year. This much is certain, they are not yet allied to us, nor have they given us reason to believe that they intend to be so. They wish for peace, and will take no measures that can obstruct it. They have lent us no money, nor are they likely to do it; from whence we may presume either that they doubt our success or do not much interest themselves in it.

Our expectations from Spain are scarcely more flattering. Some little aids of money have been received after long solicitation; hardly so much as paid the expense of soliciting. We have reason to suppose that no more will be granted. They are still cold with regard to our alliance; nothing but brilliant success can bring it to a conclusion. Nor have we the smallest reason to expect any pecuniary aid from her, even if she should confederate with us in time to be of use for the next campaign. She has at this moment very many and very expensive operations on hand; and, till she has allied herself to us, we have no certainty that she will choose to continue the war for the attainment of our independence, if Britain should be sufficiently humbled to sacrifice to her the objects which led her into the war.

To France then we turn as the only enemy of Great Britain, who is at the same time our ally, who will persevere in the war for the attainment of our independence. She has already done so much for us in order to afford us the means of doing something for ourselves that she may reasonably hope to find the effects of her benevolence. Her fleets have protected our coasts, her armies have fought our battles; she has made various efforts to restore our finances by paying the interest of our loans, by obtaining credit in Europe on our account for clothing, arms, and necessaries, by advancing money and by opening and guaranteeing a loan for us to a considerable amount in Holland, when by the abolition of paper our finances were totally deranged. These sums are nearly expended and another campaign is about to be opened. France assures us that it is not in her power to make us any further



grants of money. Her ministers repeat this to us in every letter in a tone that persuades us of their determination on that point.

What, then, is to be done? Are we to relinquish the hopes which the present debility of the enemy affords us of expelling them by one decided effort, and compensating all our losses by the enjoyment of an active commerce? Are we to return to the wretched, oppressive system we have quitted? Are we to carry on a weak and defensive war with an unpaid army, whose precarious subsistence must depend upon what can be torn by violence from the industrious husbandman? Shall we vainly, and I think disgracefully, supplicate all the powers of Europe for those means which we have in our own hands if we dare call them forth, and which after all must be called forth if we continue the war (and upon that subject there can be no doubt till the end for which we took up arms is attained). The only question is, whether each State shall fairly and regularly contribute its quota, or whether that which happens to be the seat of war shall (as has too often been the case) bear the whole burden, and suffer more from the necessities of our own troops than the ravages of the enemy. Whether we shall drive the enemy from their posts with a strong body of regular troops or whether we shall permit them to extend their devastations, while with our battalions and fluctuating corps of militia we protract a weak defensive war till our allies are discouraged and some unfavorable change takes place in the system of Europe.

Your excellency, I am persuaded, will pardon the freedom with which I write. You see the necessity which dictates my letter, and were it in my power to communicate all that our friends in Europe think of our inactivity, I am persuaded you would urge your State to exertion in much stronger terms than I dare venture to use.

When Congress call upon a State for supplies, they are usually answered by pleas of disability, urged too by the State with good faith and a firm persuasion that they speak their real situation. A recurrence to facts that have passed under their own observation will convince them that they are deceived.

From the time that the depreciation of the Continental bills of credit began till they were no longer current the States that received them paid a tax equal to all the expenditures of the army and a very considerable one beyond it; for if we suppose ten millions of dollars in specie a year to be necessary for their support, then the expense till the close of the campaign of 1779 must have amounted to upwards of fifty millions, exclusive of the supplies from Europe; and yet in March, 1780, the whole national debt contracted in America did not, in fact, amount to five millions; so that forty-five millions were paid by the United States in those five years of the war when they had the least commerce and agriculture, and when they were most distressed by the enemy; and this tax too was the most unjust and partial that can be conceived,

unless we except that by which we have since raised much more from the people without giving so much to the public—I mean the laws for impressing, &c., which placed the greatest burden of the war upon the shoulders of a particular order of men in particular States only.

Now surely if by partial and unjust measures, for which necessity alone can plead, we have been able to draw from every State a tax more than equal to the present demand, no State can say that it can not afford its proportion of a more equitable tax. Those who have hitherto borne the weight of the war must warmly espouse a measure which is so greatly calculated for their relief. Those who have hitherto been eased from the burden must be more able to take it up at this time, when they have the most promising expectation of relinquishing it soon.

It is certain that if we put ourselves in a state to take advantage of circumstances early in the ensuing spring we have the best-grounded reason to hope that a few months will remove the war from our doors; whereas if we delay to enable Congress to say to their allies “we are ready for an effectual co-operation with any force you may send,” they will turn their attention to other objects and leave us to lament in vain the opportunities we have lost. Every motive, then, national honor, national interest, public economy, private ease, and that love of freedom which pervades every legislature on the continent, call loudly not only for a compliance with the requisitions of Congress, but for so early a compliance as to render it effectual.

It is true we are at present in such a situation as to have no apprehensions for the final establishment of our independence; but surely it is a matter of some moment to us whether we shall obtain it, or at least be freed from the ravages of the enemy and the burden of the war in the course of six months at the expense of eight millions of dollars, or whether we shall wait for it till a general and perhaps a distant peace, and be subject in the mean while to infinitely more expense and all the distress that attends a country which is the seat of war.

But, sir, it is time to dismiss a subject which wants no arguments to illustrate it. I am confident that you will use every means to convince the State over which you preside of the danger which will result from relying more upon the weakness of the enemy than their own strength, more upon the aid of their allies than their own exertions, more upon unjust, partial, hazardous, and expensive expedients than upon an equal and regular support of the measures which Congress upon the most mature deliberation have recommended to their attention.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

J. Adams to Livingston.\*

AMSTERDAM, *February* 19, 1782.

SIR: On the 14th instant I had the honor to acknowledge the receipt of your duplicate of the 23d of October. To-day Major Porter brought me your favor of the 20th of November, and the original of that of the 23d of October.

I congratulate you, sir, on the glorious news contained in these despatches; but I can not be of your opinion that, great as it is, it will defeat every hope that Britain entertains of conquering a country so defended. Vanity, sir, is a passion capable of inspiring illusions which astonish all other men; and the Britons are, without exception, the vainest people upon earth. By examining such a witness as Arnold, the ministry can draw from him evidence which will fully satisfy the people of England that the conquest of America is still practicable. Sensible men see the error; but they have seen it these twenty years, and lamented it till their hearts are broken. The intention of government seems to be to break the spirit of the nation, and to bring affairs into so wretched a situation that all men shall see that they can not be made better by new ministers, or by the punishment of the old ones.

It is suggested that some plan of conciliation will be brought into Parliament; but it will be only as deceitful as all the former ones. They begin to talk big, and threaten to send Arnold, with seventeen thousand men, to burn and destroy in the northern States; but this will prove but an annual vapor. I rejoice the more in Colonel Willet's glorious services, for a personal knowledge and esteem I have for that officer. Zoutman's battle on Doggersbank shows what the nation could do. But \* \* \*. It is somewhat dangerous to write with perfect freedom concerning the views and principles of each party as you desire. Indeed, the views of all parties are enveloped in clouds and darkness. There are unerring indications that all parties agree secretly in this principle, that the Americans are right if they have power. There is here and there an individual who says the Americans are wrong; but these are very few. The English party are suspected to have it in view to engage the republic to join the English in the war against France, Spain, and America.

The prince is supposed to wish that this were practicable, but to despair of it. Some of the great proprietors of English stocks, several great mercantile houses in the service of the British ministry, are thought to wish it, too; but if they are guilty of wishes so injurious to their country and humanity, none of them dare openly avow them. The stadtholder is of opinion that his house has been supported by England; that his office was created and is preserved by them. But I do not see why

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 539, with verbal changes; 7 J. Adams' Works, 513.

his office would not be as safe in an alliance with France as with England, unless he apprehends that the republican party would in that case change sides, connect itself with England, and by her means overthrow him. There are jealousies that the stadtholder aspires to be a sovereign; but these are the ordinary jealousies of liberty, and I should think, in this case, groundless. The opposite, which is called the republican party, is suspected of desires and designs of introducing innovations. Some are supposed to aim at the demolition of the stadtholdership; others of introducing the people to the right of choosing the regencies; but I think these are very few in number, and very inconsiderable in power, though some of them may have wit and genius.

There is another party, at the head of which is Amsterdam, who think the stadtholdership necessary, but wish to have some further restraints or check upon it. Hence the proposition for a committee to assist his highness. But there is no appearance that the project will succeed. All the divisions of the republican party are thought to think well of America, and to wish a connexion with her and France. The opposite party do not openly declare themselves against this; but peace is the only thing in which all sides agree. No party dares say anything against peace; yet there are individuals very respectable who think that it is not for the public interest to make peace.

As to Congress adapting measures to the views and interest of both parties, they have already done it in the most admirable manner. They could not have done better if they had been all present here, and I know of nothing to be added. They have a plenipotentiary here with instructions; they have given power to invite the republic to accede to the alliance between France and America, with a power to admit Spain. All this is communicated to the Count de Vergennes and the Duc de la Vauguyon, and I wait only their advice for the time of making the proposition. I have endeavored to have the good graces of the leaders, and I have no reason to suspect that I do not enjoy their esteem; and I have received from the prince repeatedly, and in strong terms, by his secretary, the Baron de Larray, assurances of his personal esteem.

I wrote, sir, on the 3d and 7th of May, as full an account of my presenting my credentials as it was proper to write, and am astonished that neither duplicates nor triplicates have arrived. I will venture a secret. I had the secret advice of our best friends in the republic to take the step I did, though the French ambassador thought the time a little too early. My situation would have been ridiculous and deplorable indeed, if I had not done it, and the success of the measure, as far as universal applause could be called success, has justified. Those who detested the measure, sir, were obliged to applaud it in words. I am surprised to see you think it places us in a humiliating light. I am sure it raised me out of a very humiliating position, such as I never felt before and shall never feel again, I believe. I have lately, by the express advice of all our best friends, added to that of the Duc de la Vauguyon and the

Count de Vergennes, demanded a categorical answer. I knew very well I should not have it, but it has placed the United States and their minister in a glorious light, demanding candidly an answer; and the republic has not yet equal dignity to give it.

In this manner we may remain with perfect safety to the dignity of the United States and the reputation of her minister, until their high mightinesses shall think fit to answer, or until we shall think it necessary to repeat the demand, or make a new one, which I shall not do without the advice of the French ambassador, with whom I shall consult with perfect confidence.

My motives for printing the memorial were that I had no other way to communicate my proposition to the sovereign of the country. The gentlemen at The Hague who are called their high mightinesses are not the sovereign, they are only the deputies of the States-General, who compose the sovereignty. These joint deputies form only a diplomatic body, not a legislative nor an executive one. The States-General are the regencies of cities and bodies of nobles. The regencies of cities are the burgomasters and schepins, or judges and counsellors, composing, in the whole, a number of four or five thousand men scattered all over the republic. I had no way to come at them but by the press, because the president refused to receive my memorial. If he had received it, it would have been transmitted, of course, to all regencies; but in that case it would have been printed; for there is no memorial of a public minister in this republic but what is printed.

When the president said: "Sir, we have no authority to receive your memorial until your title and character are acknowledged by our constituents and sovereigns; we are not the sovereign," I answered: "In that case, sir, it will be my duty to make the memorial public in print, because I have no other possible way of addressing myself to the sovereign, your constituents."

The president made no objection, and there has been no objection to this day. Those who dreaded the consequence to the cause of Anglo-many have never ventured to hint a word against it. The Anglo-manes would have had a triumph if it had not been printed, and I should before this day have met with many disagreeable scenes, if not public affronts. This openness has protected me. To conciliate the affections of the people, to place our cause in an advantageous light, to remove the prejudices that Great Britain and her votaries excite, to discover the views of the different parties, to watch the motives that lead to peace between England and Holland, have been my constant aim since I have resided here. The secret aid of government in obtaining a loan I have endeavored to procure, but it can never be obtained until there is a treaty. I have hitherto kept a friendly connexion with the French ambassador, and that without interruption. The new commission for peace and the revocation of that for a treaty of commerce with Great Britain I have received.



My language and conduct is that of a private gentleman ; but those members of Congress who think this proper know that I have held public places in Europe too public and conspicuous for me to be able to remain incognito in this country, nor is it for the interest of the public that I should attempt it.

I should be extremely obliged to you, sir, if you would let me know the dates of all the letters that have been received from me since I have been in Holland, that I may send further copies of such as have miscarried. The States of Holland have accepted the mediation of Russia on condition of saving the rights of the armed neutrality. There has been a balancing between a treaty with France and the acceptance of this mediation. Amsterdam said nothing. The mediation was accepted ; but several provinces have declared for a treaty with France. People of the best intentions are jealous of a peace with England upon dishonorable terms ; but France will prevent this, though she does not choose to prevent the acceptance of the mediation, as she might have done by consenting to my making the proposition of a triple or quadruple alliance. Her ambassador says the king must not oppose the Empress of Russia, who will be of importance in the final settlement of peace.

France has never discovered much inclination to a treaty with the republic. The demolition of the barrier towns may explain this, as well as the ambassador's opinion against presenting my memorial at the time it was done. I believe that France, too, can explain the reason of the delay of Spain, where we make a less respectable appearance than in this republic. The delay of Spain is fatal to our affairs. Yet I know the American minister there to be equal to any service, which makes me regret the more the delay of that kingdom. The constant cry is, why is Spain silent ? We must wait for Spain. Nothing gives greater advantage to the English party.

The nature of the government in an absolute monarchy would render it improper to make any application or memorial public. The nature of this government rendered it indispensably necessary. The business must begin in the public, that is, in all the regencies. De Witt and Temple, it is true, made a treaty in five days ; but De Witt risked his head by it upon the pardon and confirmation of the regencies. But it was a time and measure which he knew to be universally wished for. The case at present is different. M. Van Bleiswick, though he told me he thought favorably of my first application, would not have dared to have taken a single step without the previous orders of his masters, as he told me.

It is the United States of America which must save this republic from ruin. It is the only power that is externally respected by all parties, although no party dares as yet declare openly for her. One half the republic nearly declares every day very indecently against France, the other against England ; but neither one nor the other de-



clares against America, which is more beloved and esteemed than any other nation of the world.

We must wait, however, with patience. After oscillating a little longer, and grasping at peace, finding it unattainable, I think they will seek an alliance with America, if not with France. I had a week ago a visit from one of the first personages in Friesland, who promised me that in three weeks I should have an answer from that province.

I have the honor to be, &c.,

JOHN ADAMS.

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Adams to Franklin.\*

AMSTERDAM, *February* 20, 1782.

SIR: Yesterday I had the honor of yours of the 12th, and will take an early opportunity to send you all the lights I can obtain by inferences from the numbers of the bills. Those already presented I shall accept, according to your advice. Your office is certainly a disagreeable one in many respects, and mine grows every day more and more disgusting to me. I wish myself at home again every hour in the twenty-four, and I hope ere long to obtain permission to go. Affairs here are in such a situation that I could not be justified in going until Congress shall appoint another or recall me, or I would ask leave to return in the *Alliance*. Is Mr. Laurens exchanged? If he is, and will come over here and take his own place, I would venture to go home without leave.

The Duc de la Vauguyon is returned. I had the honor to make my compliments to him on Saturday at The Hague, where I attended Dr. Maclaine's church on Sunday and the prince's review upon the parade afterwards, and where I propose in future to spend more of my time. You need not be anxious about the result of my demand of an answer. It was a measure to which I was advised by the Duc de la Vauguyon, and by Comte de Vergennes, and by several worthy gentlemen in the government here. It was intended to bring necessarily into deliberation a connection with France and America on one side at the same time when they considered the mediation of Russia on the other, in order to prevent their accepting the mediation without limitations.

The great city has lately faltered very much in point of firmness. I can not but wish that the proposition for an accession to the alliance between France and America could have been made last week, the critical moment when it would have infallibly, I think, prevented the acceptance. But France did not think it politic to do any thing against the views of Russia. But nothing but delay will come of this mediation. The United States, however, stand here in a more respectable light than in Spain. Here they are openly and candidly demanding an

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\* 7 J. Adams' Works, 519.

answer. If they receive one in the negative, it will be no more than the republic has a right to give, and we shall lose nothing, but remain exactly where we are. If they give no answer for a year to come, the dignity of the United States is safe; that of the United Provinces will be hurt by the delay, if any. In Spain the United States have been waiting in the person of one of their Presidents now going on three years, and have no answer. Now, I say it is better to be open. Here the constitution demanded publicity. In Spain it forbids it. But the dignity of the United States is injured more than it would have been if the demand to that court could have been made public. For my own part I own, as a private citizen or as a public man, I would not advise the United States to wait for ever either in Spain or Holland. If it does not suit their affairs to make a bargain with us let them tell us so candidly and let us all go home, that at least we may not be under the necessity of calling upon your excellency for water to drink, which had much better quench the thirst of our army.

I should be very much obliged to you for a copy of the replication of the two imperial courts and of the new proposition of the court of London, of which I have only had a confused intimation.

The affair of the goods has been a villainous affair indeed, as you observe, but they can not be intrusted to more prudent hands than those of Mr. Barclay, where I leave them.

I have the honor to be, &c.,

JOHN ADAMS.

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Livingston to Luzerne.\*

OFFICE OF FOREIGN AFFAIRS,

February 20, 1782.

SIR: I was yesterday honored with your note covering the papers which relate to the ship *Resolution's* cargo, and the brigantine *Eeirsten's*. With respect to the first, I believe there is little doubt that that part of the cargo which is condemned would be acquitted upon a rehearing, and proving that it was the property of capitulants. The case of the brigantine is much more intricate, and carries strong marks with it of a fraudulent design to protect British property contrary to the spirit of the capitulation. One of the judges who condemned this vessel assures me that there was strong proof that the cargo belonged to British owners even after she parted from Ostend, nor was there any evidence that the bottom was neutral. The capitulation does not certainly tend to cover any other property of the capitulants but that which should be shipped from the Island or to the Island from a neutral port, otherwise its trade with Britain would stand upon the same footing as it did before the capture. However, I have not had such a view

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 51.

of facts as will enable me to give an opinion upon the subject, and if I had it would not fall within my department to determine upon it.

The line in which justice will most speedily be done will be for the parties who conceive themselves aggrieved to petition Congress for a rehearing. If, sir, you shall approve it, I will lay before them your note, with the papers annexed, and my opinion thereon. I doubt not that they will readily adopt such measures as are most consistent with justice and the respect they will feel for your recommendation.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS,  
February 21, 1782.

SIR: I do myself the honor to lay before Congress the enclosed note from the minister of France, a letter from the Marquis de Bouillé, with translations of both, and the proceedings of the council of assembly of Dominique, all of which relate to the case of the ship *Resolution's* cargo, part of which was adjudged lawful prize by the sentence of the court of appeals; and the case of the brigantine *Eeirsten* and her cargo, which was also adjudged lawful prize by the said court.†

The case of the ship *Resolution*, as far as I have been able to learn, was simply this: She was a Dutch vessel, freighted on account of capitulants at Dominique, and bound for Holland, agreeably to the seventh article of the capitulation. She was taken by a British ship, retaken by one of our privateers, and condemned by the court of admiralty of this State, whose decree was reversed and the ship and cargo quitted, except a small part of the latter, on the principle of its not being the property of capitulants, and because, as was alleged, it was not protected by the ordinances of Congress approving the principles of the armed neutrality, Great Britain and Holland being at open war, from whence it was inferred by the court that the Dutch vessel could not be considered as sufficiently neutral to protect the property of an enemy. The papers referred to in the memorial of the minister of France serve to show that the whole cargo belonged to capitulants.

The other vessel, the *Eeirsten*, was purchased in London by a company of imperial subjects residing at Ostend, freighted in England with British property for the use of the capitulants at Dominique. The ves-

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 164, with verbal changes and omissions.

† See an account of these ships *supra*, Luzerne to Livingston, February 18; Bouillé to Luzerne, without date; Livingston to Luzerne, February 20, 1782.

sel sailed from London, and on her way to Dominique touched at the port of Ostend for the purpose of converting English papers into German. In the passage from Ostend to Dominique this brigantine was taken by an American privateer, carried into Boston, and acquitted, with her cargo; but the judges of appeals have condemned as lawful prize both vessel and cargo. They consider the cargo as unprotected by the capitulation of Dominique. They consider the vessel as carrying on a trade advantageous to the enemy in contravention to the seventeenth article of the capitulation; that she forfeited the right of neutrality by not showing an exact *impartiality* to the belligerent powers, and because she had false and colorable papers on board, with a view to give the cargo the appearance of neutral property. They allege that a vessel under these circumstances is to be considered as an enemy's, and that by the law of nations she should be subject to seizure and confiscation. They considered the cargo as unprotected by the laws of Congress, because, as they affirm, this vessel can not be thought to be strictly *neutral*; that Congress meant to pay a regard to *right* of neutrality that the *rights of neutrality* only extend *protection* to the effects and goods of an enemy in neutral bottoms, not engaged in the violation of their right. I have subjoined a copy of the seventh and seventeenth articles of the capitulation for the information of Congress.

From this statement Congress will judge of the expediency of directing a rehearing in both cases. In the first, it seems to be dictated by a regard for justice upon the new proofs. And in the second, the reasoning which determined the court does not appear to be so conclusive as to render a rehearing improper in so intricate a case, more particularly as our situation with respect to the emperor is peculiarly delicate; from which consideration, as well as from the respect which is due to the representation of his most Christian majesty, I am humbly of opinion that a rehearing ought to be granted, and that in the mean while the officers of the court should be directed to retain in their hands the proceeds of the vessel and cargo.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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J. Adams to Livingston.\*

AMSTERDAM, *February 21, 1782.*

SIR: I know very well the name of the family where I spent the evening with my worthy friend Mr. ——— before we set off, and have made my alphabet accordingly; but I am on this occasion, as on all others hitherto, utterly unable to comprehend the sense of the passages in cipher. The cipher is certainly not taken regularly under the two

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\*MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 544, with omissions and verbal changes; 7 J. Adams' Works, 521.

first letters of that name. I have been able sometimes to decipher words enough to show that I have the letters right; but, upon the whole, I can make nothing of it, which I regret very much upon this occasion, as I suppose the ciphers are a very material part of the letter.

The friendly and patriotic anxiety with which you inquire after my motives and reasons for making the proposition of the 4th of May and for printing the memorial has put me upon recollecting the circumstances. If the series of my letters had arrived I think the reasons would have appeared, but not with that force in which they existed at the time. I have never expressed in writing those reasons so strongly as I felt them. The hopes have never been strong in anybody of inducing the republic to a sudden alliance with France and America. The utmost expectation that many of the well intentioned have entertained has been to prevent the government from joining England. I am sorry to be obliged to say it, and if it ever should be made public, it might be ill taken. But there is no manner of doubt that the most earnest wish of the cabinet has been to induce the nation to furnish the ships and troops to the English according to their interpretation of the treaty. Amsterdam distinguished itself, and its ancient and venerable burgomaster, Temmink, and its eldest pensionary, Van Berckel, have distinguished themselves in Amsterdam.

When Mr. Laurens' papers were discovered, they were sent forthwith to The Hague. The prince in person laid them before the States. Sir Joseph Yorke thundered with his memorials against Amsterdam, her burgomasters, and pensionary. The nation was seized with an amazement, and flew to the armed neutrality for shelter against the fierce wrath of the king. Instantly Sir Joseph Yorke is recalled, and a declaration of war appears, levelled against the city, against the burgomasters, and M. Van Berckel; and Sir George Rodney in his despatches pursues the same partiality and personality against Amsterdam. What was the drift of all this? Manifestly to excite seditions against Temmink and Van Berckel. Here, then, is a base and scandalous system of policy, in which the King of Great Britain and his ministry and admiral all condescended to engage, manifestly concerted by Sir Joseph Yorke at The Hague; and I am sorry to add, too much favored by the cabinet, and even openly by the prince, by his presenting Laurens' papers to the States, to sacrifice Temmink and Van Berckel to the fury of an enraged populace.

This plan was so daringly supported by writers of the first fame on the side of the court, that multitudes of writings appeared, attempting to show that what Temmink and Van Berckel had done was high treason. All this had such an effect, that all the best men seemed to shudder with fear. I should scarcely find credit in America if I were to relate anecdotes. It would be ungenerous to mention names as well as unnecessary. I need only say that I was avoided like a pestilence by every man in government. Those gentlemen of the rank of burgo-

masters, schepins, pensionaries, and even lawyers, who had treated me with great kindness and sociability and even familiarity before, dared not see me, dared not be at home when I visited at their houses; dared not return my visit; dared not answer in writing even a card that I wrote them. I had several messages in a roundabout way, and in confidence, that they were extremely sorry they could not answer my cards and letters in writing, because "*on fait tout son possible pour me sacrifier aux Anglomanes.*"

Not long after arrived the news of the capture of St. Eustatia, &c. This filled up the measure. You can have no idea, sir; no man who was not upon the spot can have any idea of the gloom and terror that was spread by this event. The creatures of the court openly rejoiced in this, and threatened some of them in the most impudent terms. I had certain information that some of them talked high of their expectations of popular insurrections against the burgomasters of Amsterdam and M. Van Berckel, and did Mr. Adams the honor to mention him as one that was to be hanged by the mob in such company.

In the midst of this confusion and terror my credentials arrived from Paris through an hundred accidents and chances of being finally lost. As soon as I read my despatches and heard the history of their escape by post, diligence, and treck-schools, it seemed to me as if the hand of Providence had sent them on purpose to dissipate all these vapors.

With my despatches arrived from Paris intimations of their contents, for there are no secrets kept at Paris. The people, who are generally eager for a connexion with America, began to talk, and paragraphs appeared in all the gazettes in Dutch, and French, and German, containing a thousand ridiculous conjectures about the American ambassador and his errand. One of my children could scarcely go to school without some pompous account of it in the Dutch papers. I had been long enough in this country to see tolerably well where the balance lay, and to know that America was so much respected by all parties that no one would dare to offer any insult to her minister as soon as he should be known. I wrote my memorial and presented it, and printed it in English, Dutch, and French. There was immediately the most universal and unanimous approbation of it expressed in all companies, pamphlets, and newspapers, and no criticism ever appeared against it. Six or seven months afterwards a pamphlet appeared in Dutch, which was afterwards translated into French, called "*Considerations on the Memorial;*" but it has been read by very few, and is indeed not worth reading.

The proposition to the president being taken *ad referendum*, it became a subject of the deliberation of the sovereignty. The prince, therefore, and the whole court are legally bound to treat it with respect and me with decency; at least it would be criminal in them to treat me on the subject with indecency. If it had not been presented and printed I am very sure I could not long have resided in the republic, and what



would have been the consequence to the friends of liberty here I know not. They were so disheartened and intimidated, and the Anglomanees were so insolent, that no man can say that a sudden frenzy might not have been excited among the soldiery and the people to demand a junction with England, as there was in the year 1748. Such a revolution would have injured America and her allies, have prolonged the war, and have been the total loss and ruin of the republic.

Immediately upon the presentation of my memorial M. Van Berckel ventured to present his *requête* and demand for a trial. This contributed still further to raise the spirits of the good people, and soon afterwards the burgomasters of Amsterdam appeared with their proposition for giving the prince a committee for a council, and in course their attack upon the duke; all which together excited such an enthusiasm in the nation and among the officers of the navy as produced the battle of the Doggersbank, which never would have happened, in all probability, but would have been eluded by secret orders and various artifices, if the spirit raised in the nation by the chain of proceedings of which the American memorial was the first and an essential link had not rendered a display of the national bravery indispensable for the honor of the navy, and perhaps for the safety of the court.

The memorial, as a composition, has very little merit; yet almost every gazette in Europe has inserted it, and most of them with a compliment; none with any criticism. When I was in Paris and Versailles afterwards no man ever expressed to me the smallest disapprobation of it, or the least apprehension that it could do any harm. On the contrary, several gentlemen of letters expressed higher compliments upon it than it deserved. The King of Sweden has done it a most illustrious honor by quoting one of the most material sentiments in it in a public answer to the King of Great Britain; and the Emperor of Germany has since done the author of it the honor to desire, in the character of Count Falkenstein, to see him, and, what is more remarkable, has adopted the sentiment of it concerning religious liberty into a code of laws for his dominions; the greatest effort in favor of humanity, next to the American Revolution, which has been produced in the eighteenth century.

As my mission to this Republic was wisely communicated to the court of Versailles, who can say that this transaction of Congress had not some influence in bringing De Grasse in the Chesapeake Bay? Another thing I ought to mention; I have a letter from Mr. Jay, informing me that in the month of June last M. del Campo was appointed by the court of Madrid to treat with him, the exact time when my memorial appeared at Madrid. You may possibly say that my imagination and self-love carry me extraordinary lengths; but when one is called upon to justify an action, one should look all round. All I contend for is, that the memorial has certainly done no harm; that it is probable it has done some good, and that it is possible it has done much more than can be proved. A man always makes an awkward

figure when he is justifying himself and his own actions, and I hope I shall be pardoned. It is easy to say, "*il abonde trop dans son sens ; il est vain et glorieux ; il est plein de lui-même ; il ne voit que lui,*" and other modest things of that sort, with which even your Malesherbes, your Turgots, and Neckers are sometimes sacrificed to very small intrigues.

Your veterans in diplomatics and in affairs of state consider us as a kind of militia, and hold us perhaps, as is natural, in some degree of contempt; but wise men know that militia sometimes gain victories over regular troops even by departing from the rules. Soon after I had presented the memorial I wrote to the Duc de la Vauguyon upon the subject of inviting or admitting in concert the republic to accede to the alliance between France and America. The duke transmitted that letter to the Count de Vergennes, which produced the offer to Congress from the king to assist us in forming a connexion with the republic, and the instructions upon the subject, which I shall execute as soon as the French ambassador thinks proper. With him it now lies, and with him, thank God, I have hitherto preserved a perfectly good understanding, although I differed from him in opinion concerning the point of time to make the former proposition.

The evacuation of the barrier towns has produced an important commentary upon the conversation I had with the duke and his opinion upon that occasion. How few weeks was it after the publication of my memorial that the Roman Emperor made that memorable visit to Brussels, Ostend, Bruges, Antwerp, and all the considerable maritime towns in his provinces of Brabant and Flanders? How soon afterwards his memorable journeys to Holland and to Paris? Was not the American memorial full of matter for the emperor's contemplation when he was at Ostend, Antwerp, and Bruges? Was it not full of matter calculated to stimulate him to hasten his negociations with France concerning the abolition of the barrier towns? Was not the same matter equally calculated to stimulate France to finish such an engagement with him as we have seen the evidence of in the actual evacuation of those towns? If this evacuation is an advantage to France and to America, as it undoubtedly is, by putting this republic more in the power of France and more out of a possibility of pursuing the system of Orange by joining England, and my memorial is supposed to have contributed anything towards it, surely it was worth the while.

The period since the 4th of May, 1781, has been thick sown with great events, all springing out of the American Revolution and connected with the matter contained in my memorial. The memorial of M. Van Berckel; the proposition of the burgomasters of Amsterdam; their attack upon the Duke of Brunswick, and the battle of Doggersbank; the appointment of Señor del Campo to treat with Mr. Jay; the success of Colonel Laurens in obtaining orders for the French fleet to go upon the coast of America; their victory over Graves, and the capture of Cornwallis; the emperor's journey to his maritime towns,

to Holland, and to Paris; his new regulations for encouraging the trade of his maritime towns; his demolition of the barrier fortifications, and his most liberal and sublime ecclesiastical reformation; and the King of Sweden's reproach to the King of England for continuing the war in the very words of my memorial;—these traits are all subsequent to that memorial, and they are too sublime and decisive proofs of the prosperity and glory of the American cause to admit the belief that the memorial has done it any material hurt.

By comparing facts and events and dates it is impossible not to believe that the memorial had some influence in producing some of them. When courts, princes, and nations have been long contemplating a great system of affairs and their judgments begin to ripen, and they begin to see how things ought to go and are a-going, a small publication, holding up these objects in a clear point of view, sometimes sets a vast machine in motion at once, like the springing of a mine. "What a dust we raise!" said the fly upon the chariot wheel. It is impossible to prove that this whole letter is not a similar delusion to that of the fly. The councils of princes are enveloped in impenetrable secrecy. The true motives and causes which govern their action, little or great, are carefully concealed. But I desire only that these events may be all combined together, and then that an impartial judge may say, if he can, that he believes that that homely, harmless memorial had no share in producing any part of this great complication of good.

But be all these speculations and conjectures as they will, the foresight of which could not have been sufficiently clear to have justified the measure, it is sufficient for me to say that the measure was absolutely necessary and unavoidable. I should have been contemptible and ridiculous without it. By it I have secured to myself and my mission universal decency and respect, though no open acknowledgment or avowal. I write this to you in confidence. You may entirely suppress it or communicate it in confidence, as you judge for the public good.

I might have added that many gentlemen of letters of various nations have expressed their approbation of this measure. I will mention only two. M. d'Alembert and M. Raynal, I am well informed, have expressed their sense of it in terms too flattering for me to repeat. I might add the opinion of many men of letters in this republic.

The charge of vanity is the last resource of little wits and mercenary quacks, the vainest men alive, against men and measures that they can find no other objection to. I don't not but letters have gone to America containing their weighty charge against me; but this charge, if supported only by the opinion of those who make it, may be brought against any man or thing. It may be said that this memorial did not reach the court of Versailles until after Colonel Laurens had procured the promise of men and ships. But let it be considered Colonel Laurens brought with him my credentials to their high mightinesses and in-

structions to Dr. Franklin to acquaint the court of Versailles with it and request their countenance and aid to me. Colonel Laurens arrived in March. On the 16th of April I acquainted the Duc de la Vauguyon at The Hague that I had received such credentials and the next day waited on him in person, and had that day and the next two hours' conversation with him upon the subject, in which I informed him of my intention to go to their high mightinesses. All this he transmitted to the Count de Vergennes, and though it might procure me the reputation of vanity and obstinacy, I shall forever believe that it contributed to second and accelerate Colonel Laurens' negotiations, who succeeded to a marvel, though Dr. Franklin says he gave great offence.\* I have long since learned that a man may give offence and yet succeed. The very measures necessary for success may be pretended to give offence.

The earnest opposition made by the Duc de la Vauguyon only served to give me a more full and ample persuasion and assurance of the utility and necessity of the measure. His zeal convinced me that he had a stronger apprehension that I should make a great impression somewhere than I had myself. "Sir," says he, "the king and the United States are upon very intimate terms of friendship. Had not you better wait until we can make the proposition in concert?" "God grant they may ever continue in perfect friendship," says I; "but this friendship does not prevent your excellency from conducting your negotiations without consulting me. Why, then, am I obliged, in proposing a simple treaty of commerce, which the United States have reserved the entire right of proposing, to consult your excellency? If I were about to propose an alliance, or to invite or admit the Dutch to accede to the alliance between the King and the States, I should think myself obliged to consult your excellency." "But," says he, "there is a loan talked of to be opened by the United States here under the warranty of the king. How will it look for you to go to the States without my concurrence?" "Of this I know nothing," says I; "but one thing I know, that if such a loan should be proposed, the proposition I design to make to the States instead of obstructing will facilitate it, and your proposal of a loan will rather countenance me." "Is there not danger," says he, "that the Empress of Russia and the other northern powers will take offence at your going to the States-General before them?" "Impossible," says I; "they all know that the Dutch have been our old friends and allies—that we shall have more immediate connexions of commerce with Holland than with them. But what is decisive in this matter is, America and Holland have now a common enemy in England at open war, which is not the case with the northern powers."

"Had you not better wait until I can write to the Count de Vergennes and have his opinion?" "I know already beforehand," says I, "what his opinion will be." "Ay; what?" "Why, directly against it." "For

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\* See Dr. Franklin's letters to Major Jackson on this subject, July 5 and 6, 1781, *supra*.

what reason?" "Because the Count de Vergennes will not commit the dignity of the king or his own reputation by advising me to apply until he is sure of success; and in this he may be right; but the United States stand in a different predicament. They have nothing to lose by such a measure, and may gain a great deal."

"But," says he, "if Holland should join England in the war it will be unfortunate." "If there was danger of this," says I, "a proposition from the United States would be one of the surest means of preventing it; but the situation of Holland is such that I am persuaded they dare not join England. It is against their consciences, and they are in bodily fear of an hundred thousand men from France." "God," says he, "you have used an argument now that you ought to speak out boldly and repeat peremptorily in all companies; for this people are governed very much by fear." "I have, however, spoken upon this subject with delicacy upon all occasions, and shall continue to do so," says I, "but shall make no secret that I am sensible of it."

After turning the subject in all the lights it could bear, I told him that I believed he had urged every objection against the measure that could be thought of, but that I was still clear in my former opinion. "Are you decided to go to the States?" "Yes, sir; I must say I think it my duty." "Very well; in that case," says he, "you may depend upon it I will do all in my power, as a man, to countenance and promote your application."

I have the honor to be, &c.,

JOHN ADAMS.

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**Regulations for the Department of Foreign Affairs.\***

IN CONGRESS, *February 22, 1782.*

On the report of a committee, consisting of Mr. Ellery, Mr. Randolph, and Mr. Eveleigh, to whom was referred a letter of the 25th of January, from the Secretary of Foreign Affairs respecting his department,

*Resolved*, That the Department of Foreign Affairs be under the direction of such officer as the United States in Congress assembled have already for that purpose appointed or shall hereafter appoint, who shall be styled, "Secretary to the United States of America for the Department of Foreign Affairs," shall reside where Congress or the committee of the States shall sit, and hold his office during the pleasure of Congress.

That the books, records, and other papers of the United States that relate to this department be committed to his custody, to which, and all other papers of his office, any member of Congress shall have access; provided, that no copy shall be taken of matters of a secret nature without the special leave of Congress.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 165.



That the correspondence and communications with the ministers, consuls, and agents of the United States in foreign countries, and with the ministers and other officers of foreign powers with Congress be carried on through the Office of Foreign Affairs by the said secretary, who is also empowered to correspond with all other persons from whom he may expect to receive useful information relative to his department; provided always, that letters to ministers of the United States or ministers of foreign powers which have a direct reference to treaties or conventions proposed to be entered into, or instructions relative thereto, or other great national subjects, shall be submitted to the inspection and receive the approbation of Congress before they shall be transmitted.

That the Secretary for the Department of Foreign Affairs correspond with the governors or presidents of all or any of the United States, affording them such information from his department as may be useful to their States or to the United States, stating complaints that may have been urged against the government of any of the said States or the subjects thereof by the subjects of foreign powers, so that justice may be done agreeably to the laws of such State, or the charge proved to be groundless, and the honor of the government vindicated.

He shall receive the applications of all foreigners relative to his department which are designed to be submitted to Congress, and advise the mode in which the memorials and evidence shall be stated, in order to afford to Congress the most comprehensive view of the subject; and if he conceives it necessary, accompany such memorial with his report thereon.

He may concert measures with the ministers or officers of foreign powers amicably to procure the redress of private injuries which any citizen of the United States may have received from a foreign power or the subjects thereof, making minutes of all his transactions relative thereto which have passed on such occasions.

He shall report on all cases expressly referred to him for that purpose by Congress, and on all others touching his department in which he may conceive it necessary. And that he may acquire that intimate knowledge of the sentiments of Congress which is necessary for his direction he may at all times attend upon Congress, and shall particularly attend when summoned or ordered by the President.

He may give information to Congress respecting his department, explain and answer objections to his reports when under consideration, if required by a member and no objection be made by Congress.

He shall answer to such inquiries respecting his department as may be put from the chair by order of Congress and to questions stated in writing about matters of fact which lie within his knowledge when put by the President at the request of a member and not disapproved of by Congress. The answers to such questions may, at the option of the secretary, be delivered by him in writing.

He shall have free access to the papers and records of the United



States in the custody of their secretary, or in the offices of finance and war, and elsewhere. He may be furnished with copies or take extracts therefrom when he shall find it necessary.

He shall use means to obtain from the ministers and agents of the United States in foreign countries an abstract of their present state, their commerce, finances, naval and military strength, and the characters of sovereigns and ministers, and every other political information which may be useful to the United States. All letters to sovereign powers, letters of credence, plans of treaties, conventions, manifestoes, instructions, passports, safe-conducts, and other acts of Congress relative to the Department of Foreign Affairs, when the substance thereof shall have been previously agreed to in Congress, shall be reduced to form in the office of Foreign Affairs and submitted to the opinion of Congress; and when passed, signed, and attested, sent to the office of Foreign Affairs to be countersigned and forwarded. If an original paper is of such a nature as can not be safely transmitted without ciphers, a copy in ciphers, signed by the Secretary for the Department of Foreign Affairs, shall be considered as authentic, and the ministers of the United States at foreign courts may govern themselves thereby in the like manner as if the originals had been transmitted. And for the better execution of the duties hereby assigned him he is authorized to appoint a secretary and one, or if necessary more clerks, to assist him in the business of his office.

*Resolved*, That the salaries annexed to this department shall be as follows:

To the Secretary of the United States for the Department of Foreign Affairs the sum of four thousand dollars per annum, exclusive of office expenses, to commence from the first day of October last.

To the secretary, one thousand dollars per annum.

To the clerks, each five hundred dollars per annum.

*Resolved*, That the Secretary for the Department of Foreign Affairs and each of the persons employed under him shall take an oath before a judge of the State where Congress shall sit for the faithful discharge of their respective trusts and an oath of fidelity to the United States before they enter upon office.

*Resolved*, That the act of the 10th of January, 1781, respecting the Department of Foreign Affairs be, and hereby is, repealed.

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Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS,

February 23, 1782.

SIR: The resolution passed by Congress on the 22d of February for the more perfect organization of the Department of Foreign Affairs having no reference to the time past in fixing the salaries of the secre-

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 168.

taries or clerks, I am left without a rule for that purpose, but presume, as I have had two gentlemen employed for some time, without any distinction of rank, that no objection will lie to my giving them orders for the time that they have served at the rate of seven hundred and fifty dollars a year each.

I am sorry to be the means of taking up a moment of the time of Congress, but find myself embarrassed by their present arrangement, which fixes one secretary and reduces the other gentleman in the office to the rank of a common clerk. If no material objection should lie against the measure, I would propose, as the business of the office naturally divides itself into two branches, foreign and domestic, that instead of a secretary there should be two under secretaries, whose rank and pay shall be settled according to their merit and abilities by the Secretary of Foreign Affairs, provided that the pay of both taken together shall not exceed the sum of fifteen hundred dollars; this will not only be an incitement to diligence and attention, but possibly enable me to procure two persons in whose integrity and abilities I can confide, instead of a common clerk, without increasing the expense of the department.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Vergennes to Franklin.\*

[Translation.]

VERSAILLES, *February 24, 1782.*

SIR: You will find enclosed an official despatch,† which has been sent me from the court of Copenhagen respecting some excesses that are said to have been committed near the coast of Norway by three American vessels. I make no doubt but you will take the earliest opportunity to transmit it to Congress, that they may decide agreeably to the principles of the laws of nations upon the claim of his Danish majesty.

I have the honor, &c.,

DE VERGENNES.

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Livingston to the President of Congress.‡

OFFICE OF FOREIGN AFFAIRS,

*February 26, 1782.*

SIR: I am somewhat at a loss to determine upon what principle the petition of John Jordan and others was referred to me, but presume that it was with a view to obtain from me such information relative to

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\* 2 Sparks' Dip. Rev. Corr., 220.

† See *supra*, Blome to Vergennes, February 6, 1782.

‡ MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 169, with verbal changes.

the distribution of the prize money arising from the prizes taken by the *Bon Homme Richard* as the papers in this office can afford.

There were no papers relative to this transaction in this office; but among those of the board of admiralty I find a letter from Dr. Franklin to Francis Lewis, dated the 17th of March last, answering some inquiries on this subject, and covering a copy of a *concordat* entered into by John Paul Jones, commanding the *Bon Homme Richard*; Pierre Landais, captain of the *Alliance*; Dennis Nicolas Cottineau, captain of the *Pallas*; Joseph Varage, captain of the *Cerf*; and Philip Nicolas Ricot, captain of the *Vengeance*, by which, among other things, they agree to divide their prizes agreeably to the American regulations, as they sailed under American colors and commissions, and constituted M. Chaumont their agent to receive and distribute the prize money in behalf of the crew of each ship, and to be answerable for it in his own private name.

From Dr. Franklin's letter it appears that the whole of the prizes belonged to the captors; that the king offered to purchase the ships of war they had taken according to an established rate; that the seamen objected to it, and chose they should be sold at vendue; that this occasioned a delay in the sale; that he does not know the amount of the value of the prizes, nor whether they were distributed, which he considers as a private transaction between the officers and crews of the ships and M. Chaumont.

From this state of facts Congress will judge if anything more can be done relative to the claim of three of the petitioners to their share of the value of the prizes (the fourth being out of the question) than to assist them in the mode of authenticating the evidence of their being entitled thereto, and to forward it, with powers of attorney from them, to the consul of the United States in France. This I will readily do for them, and write to Mr. Barclay on the subject, without any express direction from Congress when the petitioners shall call at this office.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Livingston to Robert Smith.\*

PHILADELPHIA, *February 26, 1782.*

SIR: Your letter to the superintendent of finance was received and referred by Congress to this office, when, upon mature deliberation, it was determined, for various political reasons, not to recommend the issuing of any commissions for letters of marque or reprisals from any of the Spanish islands. Congress having considered these reasons came into this view, and passed the resolution which I enclose in pursuance of their orders.

It is expected that the several consuls and agents of Congress, where-

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\*MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 170.

ever settled, will keep up a regular and constant correspondence with me, in order that the United States in Congress may have the fullest information of every transaction in which they may be materially concerned. This task, I dare say, you will readily impose upon yourself, when you reflect on the advantages that may result from it. The points on which I shall chiefly trouble you for information are, the naval and military strength of the Island at the time you write, not merely as to the number of ships and men, but their actual state of preparation for defensive or offensive operations, their stations, their prospects, and designs, as far as you can learn them. At your leisure, I wish to have an account of the population, militia, commerce, husbandry, and revenue of the Island, the sentiments of the people with respect to this war, and everything else you may deem curious or interesting.

If a paper is printed at the Havana, you will be pleased to send it to me by every opportunity. I need not suggest to you the necessity of preparing your letters so that they may be sunk in case of danger when they contain anything which may be of use to the enemy.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Carmichael to Livingston.\*

No. 4.

MADRID, *February 27, 1782.*

SIR: I did myself the honor of addressing you the 18th instant, which I enclosed in the first copy of this. My letter of the 18th contained all the intelligence of the state of our affairs in Holland which had come to my knowledge. My mind is now full of another object, for I have the mortification to inform you that unless Mr. Jay is enabled by Dr. Franklin in a few days to pay the drafts he has accepted, he will be obliged to stop payment. I am persuaded the latter has done everything in his power to extricate us from this cruel situation, but he has had so many other bills to answer, and France is itself so pushed for money, that hitherto he has not been able to succeed, nor indeed to pay us regularly our salaries.

This court has at length consented to pay us the balance of the three millions promised last year, which amounts to near twenty-six thousand dollars, but this money is in some sort appropriated to the repayment of the advances made for two months past by M. Cabarrus, who, after the conversation he has had with the minister, is discouraged from making further advances. Less than twenty thousand pounds sterling would now pay all our debts in this country. I shall not despair until the bills are refused, although after what we have experienced here I

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 81, with verbal changes.

have little ground to hope. The Count de Florida Blanca has engaged to take such measures as that Mr. Jay shall not be personally exposed, which, without the interference of the court, might be the case, as he is not acknowledged in a public character.

Mr. Jay has not yet received any notice that M. del Campo's instructions are ready. That gentleman has now been near four months named for this business. It is now confidently asserted that the works at Mahon are to be destroyed. Two ships of the line and two frigates have sailed from Cadiz to escort the transports with troops from Minorca, which, it is said, are to be employed in the siege of Gibraltar. I know of a certainty that the court has given orders to amass considerable sums of money in Andalusia. The Count de Guichen sailed on the 10th instant, and we expect every day to hear of his arrival at Cadiz with five ships of the line. The English East India convoy sailed the 26th ultimo, and consists of six ships of the line, a frigate, and nineteen transports and ships of the company. The letters and papers I have received the last posts from France and Holland assert that since the arrival of Lord Cornwallis and Arnold in England the king is resolved to continue an offensive war in America at every hazard. As this intelligence corresponds with the character of the king and the officers above mentioned, some credit may be given to it. It has been asserted in the English papers that the king of Great Britain was negotiating, as Elector of Hanover, with Saxony to take into pay ten thousand of its troops to replace the like number to be drawn from Hanover for the American war. The *chargé d'affaires* of Saxony at this court assures me that this is false.

It is expected by the friends of America that preparations will be early made to repel every attack the enemy may be in force to make, and if occasion presents to act offensively. I have nothing to add to this or my last but that a copy of each will be delivered to you by Colonel Livingston, whose zeal, abilities, application, and prudent conduct have acquired him general esteem, and have made his departure regretted by all who had the pleasure of his acquaintance. Mr. Vaughan, who accompanies him, was strongly recommended to me by Dr. Franklin, and I have found him every way worthy of his recommendation. These gentlemen will be able to give more ample details of general intelligence than I can do by letter and of a later date than this.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

J. Adams to Livingston.\*

AMSTERDAM, *February 27, 1782.*

SIR: Friesland has at last taken the provincial resolution to acknowledge the independence of which United America is in full possession. It is thought that several cities of Holland will soon follow this example, and some say it will be followed forthwith by the whole republic. The first burgomaster of this city has said within a few days past that in six weeks at farthest the independence of America would be acknowledged by all seven of the United Provinces, but I have no expectation of such haste. This government does nothing with such celerity.

By what I hear and read of their speculations it seems to me that the general sense is at present not to shackle themselves with any treaties either with France or Spain, nor to make any treaty of alliance, nor to make even a treaty of commerce with America as yet for a considerable time, but for the several members of the sovereignty, one after another, to acknowledge the independence of America in the manner that Friesland has done; and for the States, the prince, and the admiralties to exert themselves in preparing a fleet to command the North Sea, and wash out some of the stains in their character which the English have so unjustly thrown upon it in their blood. There is a loud cry for vengeance, a stern demand of a fleet and battle with the English, and if the court contrive to elude it the stadtholder will run a great risk of his power.

Sensible and candid men tell me, "We wait for Spain, and we wait for Russia. We won't make any treaty with you. It is of no great importance to us or to you. We see there is a tremendous power arising in the west. We can't meddle much, but we will at all events be your good friends. Whoever quarrels with you, we will not."

In short, I expect no treaty. I don't expect that our independence will be acknowledged by all the provinces for a long time. Nevertheless it appears to me of indispensable importance that a minister should reside constantly here, vested with the same powers from Congress with which they have honored me; for which reason, having the offer of a large and elegant house in a fine situation on a noble spot of ground at The Hague at a very reasonable rate, I have, in pursuance of the advice of Mr. Barclay, M. Dumas, and other friends, purchased it, and shall remove into it on or before the first of May. In case I should be recalled or obliged to go away upon other services, any minister that Congress may appoint here in my room will find a house ready furnished at The Hague ready for him.

The negociation for the purchase was conducted secretly, but when it came to be known I am informed it gave a great deal of satisfaction in general.

To pay for it I have applied all the money I had of M. de Neufville's

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 552, with verbal changes.



loan and some cash of my own which I brought with me from America, and for the second payment I must borrow of a friend, if Dr. Franklin can not furnish the money, for which indeed I don't love to ask him, he has so many demands upon him from every quarter. The house, including purchase charges, &c., will amount to about sixteen thousand guilders, ten thousand of which I paid yesterday. I have been obliged to take the title in my own name, but shall transfer it to the United States as soon as they are acknowledged and the account can be settled, provided Congress approve of the transaction; otherwise I shall take the risk upon myself and sell it again. I shall live hereafter at a smaller rent than I ever did before, though in a house much superior.

I have the honor to be, &c.,

JOHN ADAMS.

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Hartley to Franklin. \*

FEBRUARY 28, 1782.

MY DEAR FRIEND: I have not as yet anything to communicate to you. I have upon many occasions recommended the road to peace in the most earnest way. I am not without hopes. I think I may venture to say that the arguments which I have stated have made an impression. I have not expected to receive the final answer from Lord North till after the parliamentary arrangements of the year are settled. I am just for three or four days in the country upon a little business, but upon a furlough, as I may say, with the knowledge of Lord North, who during the budget week can not possibly want to see me. I have therefore taken that week for a little private business in the country, and if Lord North should happen to wish to see me, my brother keeps watch and is to send express for me. Public report will tell you that on Friday last there was a division in the house on an American question of one hundred and nine-four to one hundred and ninety-three.

I can not answer for the dispositions of the ministers, but in point of justice I ought to say that I think, and as far as I can judge from the conferences which I have had that I have found good dispositions towards peace. I do not pledge myself, because I may be deceived; however, that is my opinion, and I say thus much lest my silence should appear suspicious and create alienation in other parties. I think I have seen good dispositions from the first commencement of my conferences on peace. My brother sends me word that Mr. Alexander is to return by the next mail. I therefore write this to send either by him or at least in the same packet. I have had much conversation with him, and he will tell you that I have done my utmost to serve the cause

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\* 2 Sparks' Dip. Rev. Corr., 220.

of peace. I will conclude this with a quotation, which I have applied to another person in argument respecting peace :

“ Consulero patriæ, parcere afflictis, ferâ cæde abstinere,  
Iræ tempus dare, orbi quietem, seculo pacem suo,  
Hæc summa virtus,— hæc cælum petitur viâ.”

God bless you and prosper our pacific endeavors. I shall probably write again to you soon.

Your affectionate,

D. HARTLEY.

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Burke to Franklin.\*

LONDON, *February 28, 1782.*

DEAR SIR: Your most obliging letter demanded an early answer. It has not received the acknowledgment which was so justly due to it; but Providence has well supplied my deficiencies, and the delay of the answer has made it much more satisfactory than at the time of my receipt of your letter I dared to promise myself it could be. I congratulate you, as the friend of America; I trust as not the enemy of England; I am sure as the friend of mankind, on the resolution of the House of Commons, carried by a majority of nineteen, at two o'clock this morning, in a very full house. It was the declaration of two hundred and thirty-four; I think it was the opinion of the whole. I trust it will lead to a speedy peace between the two branches of the English nation; perhaps to a general peace; and that our happiness may be an introduction to that of the world at large. I most sincerely congratulate you on the event. I wish I could say that I had accomplished my commission. Difficulties remain. But as Mr. Laurens is released from his confinement, and has recovered his health tolerably, he may wait, I hope, without a great deal of inconvenience, for the final adjustment of his troublesome business. He is an exceedingly agreeable and honorable man. I am much obliged to you for the honor of his acquaintance. He speaks of you as I do; and is perfectly sensible of your warm and friendly interposition in his favor.

I have the honor to be, with the highest possible esteem and regard, dear sir, your most faithful and obedient humble servant,

EDMUND BURKE.

P. S.—General Burgoyne presents his best compliments to you, with his thanks for your obliging attentions towards him.

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\* 2 Sparks' Dip. Rev. Corr., 221. This letter was written in answer to one from Dr. Franklin, requesting Mr. Burke to negotiate an exchange of Henry Laurens, when in the Tower, for General Burgoyne. Mr. Laurens was at the time under some mistake in regard to this subject, as he supposed that Mr. Burke first applied to Dr. Franklin to effect such an exchange, and imagined that Dr. Franklin neglected him; whereas he took the most prompt and efficient means in his power to procure Mr. Laurens' release. See H. Laurens to President of Congress, *infra*, May 30, 1782.

Livingston to Dana.\*

PHILADELPHIA, *March 2, 1782.*

DEAR SIR: I find myself extremely embarrassed in writing to you on account of my ignorance of the place of your present residence and the want of a cipher. You forgot when you left Holland—if you have yet left it, for this is a matter of which we have not been informed—to send me your direction, so that there are an infinite number of chances against a letter's reaching you. This must account for my not entering into a minute consideration of your letters or of our own affairs. The subject of your conference with the† ——— is too delicate to be discussed here. The event has, ere this, shown you whether his sentiments were well founded, though we can form no judgment from this circumstance, as we have not been favored with a single line from you since May, 1781.

We presume that you must frequently have written, as the ports of Holland, Sweden, and France afforded you many opportunities, of which you have undoubtedly availed yourself, but we have unfortunately not received the advantage we could wish from your attention. I must therefore beg the favor of you to increase the number of your letters, and to send at least four copies of each to the different ports. There are indeed many things which it would be imprudent to trust to the common post. There are also many other matters which may safely be sent by it. If you have letters always ready safe opportunities will occasionally offer for the first, and those which relate to general politics should be written weekly and sent to France and Holland.

You will continue, I presume, to appear only in a private character, <sup>λ</sup> as it would give Congress great pain to see you assume any other without an absolute certainty that you would be received and acknowledged. The United States, fired with the prospect of their future glory, would blush to think that the history of any nation might represent them as humble suppliants for their favor. The least slight from a sovereign whose life will be read with applause by posterity, whose situation places her above those little shifting politics by which inferior princes govern, who has magnanimity enough to feel and declare herself independent of every other tie but that which wisdom and justice impose, might be urged with weight against us and give force to the calumnies of our enemies. All, therefore, sir, that your situation will admit of is to endeavor to give just ideas of this country, of its resources, of its future commerce, its justice and moderation, its sincere desire for peace, but at the same time of its firm determination to forego any present advantage and to brave any danger rather than purchase it upon terms unworthy of the struggles they have made or which shall

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 605.

† A blank in the original, but probably the Count de Vergennes is alluded to.—  
SPARKS.

render their liberties insecure. This, which is an important truth, you will be able to prove by showing the circumstances under which we entered into the war and the difficulties we struggled with, when, without arms, without military stores, without discipline, without government, without commerce, we bid defiance to one of the most powerful nations in the world, and resisted alone, for three years, forty thousand disciplined troops, attended by a considerable navy, and amply supplied with every necessary to enable them to use their force with advantage. Contrast this with our present situation. Allied to a powerful nation; in possession of governments with which the people are pleased; having an army disciplined, well appointed, and flushed with victory; an extensive and active commerce; provisions cheaper than in time of peace; credit reviving again, and specie introduced into circulation.

It is also important to show the unanimity of this country in opposition to what the court of Great Britain has desired to inculcate. I have touched upon this in my last letter, and have endeavored to show it from the conduct which she herself holds towards this country. It will never be doubted by those who reflect on these circumstances, and the ease with which every order of government is carried into effect, and the few partisans the British have found when they marched out into the country. But though we wish these matters to be understood, yet I am far from recommending it to you to make a pompous display of them. Your own judgment will direct you on this subject. Your having been long in a public character will naturally lead those who wish to be informed to inquire the state of our affairs from you. You may avail yourself of the opportunities this will afford you to speak of them with that temper and moderation that can not fail to make an impression, particularly when these facts appear rather to be drawn from you by your desire to answer the inquiry, than urged by a wish to make converts. In the first case the hearer is disposed to believe, because you lay him under obligations; in the second he is cautious, lest he should be led away by your prejudices. Should these inquiries be made by people who are able to serve you, be particularly attentive to render your information agreeable by enlivening it with some little interesting incidents, which this war has furnished in abundance, and which can not but give pleasure to a people who are too remote to have heard them.

These may possibly be the means, when repeated, of exciting the curiosity of the sovereign, and procure for you the honor of conversing with her in the character of a private gentleman. This incident will be best improved by preparing yourself to answer all her inquiries with respect to this country without touching on the politics of Europe, with which she is infinitely better acquainted than we can be. The first settlement of the Colonies, their population, agriculture, commerce, and revenues; their past and present governments; the progress of the

arts and sciences ; the steps which led to this Revolution, and the present state of the war will probably be the objects of her inquiry. These you will answer with candor, even though you should thereby expose some of our defects or imperfections. For you will never cease to bear in mind that the celebrated sovereign of the country you are in is too well informed to be deceived could our politics ever stoop so low as to make the attempt.

[I believe you may find it necessary in most of the northern courts to be cautious in painting the British in the odious colors in which they appear to us. Other nations are not so intimately acquainted with them ; their books, their travelers, and their merchants have made their way into different parts of Europe ; by boldly asserting their own virtues they have taught the world to believe that they really possess a superior degree of courage and humanity. Speak, therefore, with as much coolness as your human feelings will allow, of their prison ships, in which numbers of our countrymen have perished for want, of the cold and damp churches from which near three thousand were carried in cartloads to their graves in the course of one winter ; of the laws by which brothers were compelled to fight against each other ; of the wanton rapine and indiscriminate destruction of every part of the country which their armies could reach ; of the unrelenting cruelty with which the aged, the weak, and the helpless have been delivered to the scalping knife of their savage allies ; of the brutal rage with which they have often murdered those whom by surprise or superior numbers they have subdued, and of the more refined cruelty with which they suffered them to die of cold and hunger ; of their more than barbarous attempts to spread an infectious distemper through an extensive country ; of their—but I am sick of the recapitulation, my heart revolts when I request you to mention these and a thousand other similar circumstances with the smallest degree of moderation. My prudence suggested the idea, but to be always prudent we must extinguish our feelings. Their reputation for courage we shall have no interest in lessening, after you have modestly mentioned the superior numbers they have had in the field for years together and the advantage they enjoyed over us in military supplies. The reduction of St. John's, Chambly, and Montreal, with an army hardly more numerous than the garrison, the occurrences of a war which has scarce furnished an instance of our being defeated but by much superior numbers. The capture of two armies, amounting to more than seventeen thousand men, with arms in their hands and the balance of nearly twelve thousand prisoners which we at this moment retain after having completed the exchange of all the enemy had. But why should I enlarge upon the subject ; everything of this nature will naturally suggest itself to you, and your own prudence will naturally many things that I omit.] \*

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\* Passage in brackets omitted in Sparks' ed.

Since my last conveying an account of Cornwallis' capture, nothing very important has happened here, unless it be the evacuation of Wilmington and Beaufort, by which means all the enemy's posts in the southern States are reduced to Charleston and Savannah, and the trade of that extensive country is again opened. The few friends to slavery in the States the British marched over, are abandoned to our mercy. For the rest the enemy keep close within their lines, and our troops are cantoned about the country. In the meanwhile the British Islands and commerce are sacrificed to the possession of three posts, which cost them millions to retain on this continent. I give you no account of what is doing in the West Indies, presuming that you will have the earliest and best intelligence on this subject from Paris. It may be of importance to you to learn that our plan for calling in the old paper and emitting new was not attended with all the success that was expected. The old paper was indeed redeemed, but the new beginning to depreciate, most of the States thought it prudent to take it in by taxation.

The only money now in general circulation is specie and notes from the American banks, which have the same credit as silver. Our taxes are collected in these, and by removing the restrictions on our commerce, together with the small loans we have made in Europe, we find not the least want of a circulating medium, and though there will probably be some failure in the amount of the taxes from some of the States which are most impoverished, yet a considerable proportion of the eight millions of dollars in specie which have been imposed this year will be paid, exclusive of the duty of five per cent. premium on our imports, which is designed as a perpetual fund for the payment of the money we borrow. Every exertion is making here for the most vigorous and active campaign, and we have the greatest reason to believe it will be decisive.

I enclose an ordinance relative to captures which will show the respect paid by these States to the armed neutrality. It will be evident to you that this is not a mere empty compliment, since nothing can be more injurious to us than conforming to principles which our enemy despises, and is permitted to despise with impunity, particularly on this coast, where Britain is left at liberty to consider us not as independent States, but as revolted colonies, and to make prize of any vessel whatsoever bound to our ports, though both ship and cargo should be in the strictest sense neutral. But interested considerations have less weight with us than those immutable laws of justice which make the basis of these regulations, and these States can not but hope that the neutral powers will sooner or later dare to execute what they have so wisely projected.

Now, sir, let me again repeat to you my request to write regularly to me, at least once in every week, since the high opinion we have formed of the Empress makes all her actions important to us. When no other



political object presents itself, give us the best account you can collect of the history, manners, revolutions, manufactures, arts, revenues, civil and military establishments of Russia, with the names and characters of those who hold the great offices, or share the favor of the sovereign. If a change has taken place (as we are informed) in the Russian administration, be pleased to acquaint yourself and me, when you can safely do it with the causes of it, and with the characters of the present administration. Send me by the first safe hand a cipher, if an opportunity should offer before I send one to you.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Franklin to Vergennes.\*

PASSY, *March 3, 1782.*

SIR: I received the letter your excellency did me the honor of writing to me the 26th past, enclosing an official paper on the part of the Danish court, relating to the burning of some English vessels on the coast of Norway, by three American ships.† I shall not fail to transmit the same immediately to the Congress, who will, I make no doubt, inquire into the facts alleged, and do thereupon what shall appear to be just and right, it being their constant and earnest desire to avoid giving any offence to neutral nations, as will appear by their instructions to all armed vessels, of which I have the honor to present a copy.

In the mean time, as it is natural to expect that those who exact a rigorous observation of the laws of nations when their own interest or honor seems affected, should be themselves ready to show an example of their own regard for those laws, where the interest of others is concerned, I can not but hope the court of Denmark will at length attend to a demand long since made by me, but hitherto without effect, that they would restore to the United States the value of three vessels amounting to fifty thousand pounds sterling. These vessels were fair and good prizes, which had been made by our ships of war, not on the coast of Denmark, but far distant on the high seas, and were sent into Bergen as into a port truly neutral, but there, contrary to the laws of hospitality, as well as the other laws of nations, they were forcibly wrested out of our hands by the government of that place, and delivered back to our enemies. The Congress have not lost sight of this violence, but constantly expected justice from the equity and wisdom of his Danish majesty.

I am, with the greatest respect, &c.,

B. FRANKLIN.

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 222; 9 Sparks' Franklin, 171; 7 Bigelow's Franklin, 396.

† See Blome to Vergennes, February 6, 1782.

Franklin to Livingston.\*

PASSY, March 4, 1782.

SIR: Since I wrote the two short letters, of which I herewith send you copies, I have been honored with yours, No. 5, dated the 16th of December.

Enclosed I send two letters from Count de Vergennes, relating to certain complaints from Ostend and Copenhagen against our cruisers. I formerly forwarded a similar complaint from Portugal, to which I have yet received no answer. The ambassador of that kingdom frequently teazes me for it. I hope now that by your means this kind of affairs will be more immediately attended to; ill blood and mischief may be thereby sometimes prevented.

The Marquis de la Fayette was at his return hither received by all ranks with all possible distinction. He daily gains in the general esteem and affection, and promises to be a great man here. He is warmly attached to our cause; we are on the most friendly and confidential footing with each other, and he is really very serviceable to me in my applications for additional assistance.

I have done what I could in recommending Messrs. Duportail and Gouvion, as you desired. I did it with pleasure, as I have much esteem for them.

I will endeavor to procure a sketch of an emblem for the purpose you mention. This puts me in mind of a medal I have had a mind to strike, since the late great event you gave me an account of, representing the United States by the figure of an infant Hercules, in his cradle, strangling the two serpents; and France by that of Minerva, sitting by as nurse, with her spear and helmet, and her robe specked with a few *fleurs de lis*. The extinguishing of two entire armies in one war is what has rarely happened, and it gives a presage of the future force of our growing empire.

I thank you much for the newspapers you have been so kind as to send me. I send also to you, by every opportunity, packets of the French, Dutch, and English papers. Enclosed is the last *Courier of Europe*, wherein you will find a late curious debate on continuing the war with America, which the minister carried in the affirmative only by his own vote. It seems the nation is sick of it; but the king is obstinate. *There is a change made of the American secretary*, and another is talked of in the room of Lord Sandwich. But I suppose we have no reason to desire such changes. If the king will have a war with us, his old servants are as well for us as any he is likely to put in their places. The ministry, you will see, declare that the war in America is, for the future, to be only *defensive*. I hope we shall be too prudent to have the least dependence on this declaration. It is only thrown out to lull us;

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 223, with verbal changes and omissions; 9 Sparks' Franklin, 172; 7 Bigelow's Franklin, 401.

for, depend upon it, the king hates us cordially, and will be content with nothing short of our extirpation.

I shall be glad to receive the account you are preparing of the wanton damages done our possessions. I wish you could also furnish me with one of the barbarities committed on our people. They may both be of excellent use on certain occasions. I received the duplicate of your No. 4 in cipher. Hereafter I wish you would use that in which those instructions were written that relate to the future peace. I am accustomed to that, and I think it very good, and more convenient in the practice.

The friendly disposition of this court towards us continues. We have sometimes pressed a little too hard, expecting and demanding, perhaps, more than we ought, and have used improper arguments, which may have occasioned a little dissatisfaction, but it has not been lasting. In my opinion, the surest way to obtain liberal aid from others is vigorously to help ourselves. People fear assisting the negligent, the indolent, and the careless, lest the aids they afford should be lost. I know we have done a great deal; but it is said we are apt to be supine after a little success, and too backward in furnishing our contingents. This is really a generous nation, fond of glory, and particularly that of protecting the oppressed. Trade is not the admiration of their noblesse, who always govern here. Telling them their *commerce* will be advantaged by our success, and that it is their *interest* to help us, seems as much as to say, help us, and we shall not be obliged to you. Such indiscreet and improper language has been sometimes held here by some of our people, and produced no good effects.

The constant harmony subsisting between the armies of the two nations in America is a circumstance that has afforded me infinite pleasure. It should be carefully cultivated. I hope nothing will happen to disturb it. The French officers who have returned to France this winter speak of our people in the handsomest and kindest manner, and there is a strong desire in many of the young noblemen to go over and fight for us. There is no restraining some of them, and several changes among the officers of their army have lately taken place in consequence.

You must be so sensible of the utility of maintaining a perfect good understanding with the Chevalier de la Luzerne, that I need say nothing on that head. The affairs of a distant people in any court of Europe will always be much affected by the representations of the minister of that court residing among them.

We have great quantities of supplies of all kinds ready here to be sent over, and which would have been on their way before this time if the unlucky loss of the transports that were under M. de Guichen and other demands for more ships had not created a difficulty to find freight for them. I hope, however, that you will receive them with the next convoy.

The accounts we have of the economy introduced by Mr. Morris begin to be of service to us here, and will, by degrees, obviate the inconvenience that an opinion of our disorders and mismanagements had occasioned. I inform him by this conveyance of the money aids we shall have this year. The sum is not so great as we could wish, and we must so much the more exert ourselves. A small increase of industry in every American, male and female, with a small diminution of luxury, would produce a sum far superior to all we can hope to beg or borrow from all our friends in Europe.

There are now near a thousand of our brave fellows prisoners in England, many of whom have patiently endured the hardships of that confinement several years, resisting every temptation to serve our enemies. Will not your late great advantages put it in your power to do something for their relief? The slender supply I have been able to afford, of a shilling a week to each, for their greater comfort during the winter, amounts weekly to £50 sterling. An exchange would make so many of our countrymen happy, add to our strength, and diminish our expense. But our privateers who cruise in Europe will not be at the trouble of bringing in their prisoners, and I have none to exchange for them.

Generals Cornwallis and Arnold are both arrived in England. It is reported that the former, in all his conversations, discourages the prosecution of the war in America; if so, he will of course be out of favor. We hear much of audiences given to the latter and of his being present at councils. He seems to mix as naturally with that polluted court as pitch with tar. There is no being in nature too base for them to associate with, provided it may be thought capable of serving their purposes.

You desire to know whether any intercepted letters of Mr. Deane have been published in Europe? I have seen but one in the English papers—that to Mr. Wadsworth—and none in any of the French and Dutch papers; but some may have been printed that have not fallen in my way. There is no doubt of their being all genuine. His conversation, since his return from America, has, as I have been informed, gone gradually more and more into that style, and at length come to an open vindication of Arnold's conduct; and within these few days he has sent me a letter of twenty full pages recapitulating those letters, and threatening to write and publish an account of the treatment he has received from Congress, &c. He resides at Ghent, is distressed both in mind and circumstances, raves and writes abundance, and I imagine it will end in his going over to join his friend Arnold in England. I had an exceeding good opinion of him when he acted with me, and I believe he was then sincere and hearty in our cause; but he is changed, and his character ruined in his own country and in this, so that I see no other but England to which he can now retire. He says that we owe him about £12,000 sterling, and his great complaint is that we do not settle his accounts and pay him. Mr. Johnston having declined the

service, I proposed engaging Mr. Searle to undertake it, but Mr. Deane objected to him as being his enemy. In my opinion he was for that reason, even fitter for the service of Mr. Deane, since accounts are of a mathematical nature, and can not be changed by an enemy, while that enemy's testimony, that he had found them well supported by authentic vouchers, would have weighed more than the same testimony from a friend.\*

With regard to negociations for a peace, I see but little probability of their being entered upon seriously this year, unless the English minister had failed in raising his funds, which it is said he has secured, so that we must provide for another campaign, in which I hope God will continue to favor us and humble our cruel and haughty enemies—a circumstance which, whatever Mr. Deane may say to the contrary, will give pleasure to all Europe.

This year opens well by the reduction of Port Mahon and the garrison prisoners of war; and we are not without hopes that Gibraltar may soon follow. A few more signal successes in America will do much towards reducing our enemies to reason. Your expressions of good opinion with regard to me and wishes of my continuance in this employment are very obliging. As long as the Congress think I can be useful to our affairs it is my duty to obey their orders; but I should be happy to see them better executed by another and myself at liberty, enjoying, before I quit the stage of life, some small degree of leisure and tranquillity.

With great esteem, &c.,

B. FRANKLIN.

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Vauguyon to J. Adams.†

[Translation.]

THE HAGUE, *March 4, 1782.*

SIR: I have received the letter you did me the honor to address to me from Amsterdam the 1st instant. I can not answer it officially in the capacity of king's minister, not having any ulterior instructions on the subject to which it relates; but as you request my private opinion, I will give it to you with the greatest sincerity.

After having seriously reflected on the views which you have communicated to me, whatever inclination I may have to adopt your opinions, I can not conceal from myself the inconveniences attending the plan which you appear disposed to follow. I think, and I believe that I have sufficient reason to lead me to the conclusion, that it will retard rather than accelerate the ultimate success. I shall have the honor of

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\* See Deane to the President of Congress, May 15, 1781.

† 3 Sparks' Dip. Rev. Corr., 554.

explaining myself more fully by word of mouth, if, as M. Dumas gives me to hope, you visit The Hague in the course of a few days.

Receive, sir, my renewed assurances of inviolable attachment and profound respect, &c.,

DE LA VAUGUYON.

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Franklin to Morris.\*

PASSY, *March 4, 1782.*

SIR: With this you will receive copies of my two letters dated January 28, and another dated the 30th, since which I have been continually in perplexity and uncertainty about our money affairs. I obtained a sketch of the account mentioned in my last. You will see by letters I enclose that I endeavored to correct it and make it 2,216,000 livres more in our favor, but without success. I pressed to know whether we were to expect any pecuniary aids this year or not. Our friend the marquis assisted me much. The affair was some time in suspense. At length the minister told me we should be aided, but must not expect it to be in the same proportion as last year. Friday last he was so good as to inform me we should have six millions, paid quarterly, of which 1,500,000 livres should be ready for us at the end of this month. I shall now be able to face the loan office and other bills and my acceptances in favor of Mr. Beaumarchais; and I will do as much as I can out of the 6,000,000 towards fulfilling your orders of paying and depositing money in other hands. But when you observe that the Dutch loan, which you conceive might be entire with me and at your disposition, has suffered such large deductions, you will not expect much; and your hopes of twelve millions for the present year falling short by one-half (as far as appears at present), you will arrange your affairs accordingly, and prevail on our people, if possible, to do more for themselves.

The supplies charged in the *aperçus* or sketch were part of them sent in king's transports in May and June last, and I understood the rest were to be forwarded in the same way; but the loss of a number of transports taken, which required replacing, has created a difficulty which I but lately was informed of; and I have had notice to provide ships for our goods, the king not having sufficient. Mr. Barclay being in Holland, I wrote to Nantes and L'Orient, but could obtain no freight there. At the same time I sent orders to Captain Barry to go to Brest, where the goods were assembled, and take in what he could. He was gone on a cruise before my letter reached him. On Friday I acquainted the Marquis de Castries that I could not obtain any vessels, and entreated his assisting us; which he was kind enough to promise as far as he was able. We have about 1,000 ton to send, and he supposes the alliance may take 400 of it, in which case he will try to find place for the rest.

Mr. Barclay, as I mentioned above, is still in Holland endeavoring to

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\* MSS. Dep. of State; 7 Bigelow's Franklin, 398.



ship the goods unhappily purchased there last year. The whole were at first detained from us on pretence of damages due to the owners of the ships left behind by Gillon, who, by agreement, should have taken them under his convoy. We at length recovered those purchased by Messrs. de Neufville, but those purchased of Gillon himself are stopped for his debt; and though I accepted and paid the bills for the purchase, according to the agreement between him and Colonel Laurens, I just learn from Mr. Barclay that they are not now to be had without paying for them over again. If that man ever arrives in America he should be immediately called to account for his conduct; but, by his touching at Teneriffe, I fear he has gone elsewhere. I send you herewith one copy of our public accounts and shall send another by the Marquis de la Fayette, who will probably go the beginning of next month. I propose to get Mr. Barclay, if I can, to examine them with the vouchers, but I send those copies at present, that you may see what abundance of calls there are on me, of which, by your imagining so much in my hands, you appear to have had no idea. The expenditure of the sums obtained here will be easily examined and ascertained. For those sums being always received in the first instance by our banker, and he disbursing none but in payment of bills of exchange accepted by me, or on written orders expressing on what account the order is drawn, the inspectors will readily see whether the articles agree with those bills or orders and accounts.

Relying on Capt. Barry's complying with my orders to go to Brest, take in what he could of our goods, and sail with the convoy, which does not go till towards the end of this month, I delayed answering your letters fully till I should obtain some certainty relating to our money affairs. But I have just received a letter from him, acquainting me with his return from an unsuccessful cruise and his resolution to depart for America immediately after the return of the post. It seems he had not, when he wrote, received my letter directing him to call at Brest. I write to him again to the same purpose, but as he may nevertheless determine to return directly, I cannot now add to this letter, but must refer you to what I shall write by the Marquis. With greatest and most sincere esteem, I have the honor to be, sir, &c.

P. S.—By the 15 of this month another million of the Dutch loan will be consumed in paying bills, &c., so that I fear it will be difficult for me to pay those in favor of Mr. Ross, but I will try.

Livingston to J. Adams.\*

PHILADELPHIA, *March 5, 1782.*

DEAR SIR: I have now before me your letters of the 15th, 17th, and 18th of October last. I am sorry to find that your health has suffered by the climate, but hope that the setting in of the winter has ere this

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 555, with verbal changes.

re-established it. I am not directed to return any answer to your request to come home. Should I obtain the sense of Congress upon it before this is closed, it will be transmitted by this conveyance.

The success of the allied arms in America, the recovery of the Dutch Islands, and the avowed superiority of the French in the West Indies, have so changed the face of affairs, that there is strong reason to believe negotiations will be set on foot this winter. Whether Britain is sufficiently humbled to desire peace is still doubtful; but whether she is or is not, she will probably negotiate, in which case your presence in Europe will be necessary; so that I believe you can not at the most flatter yourself with anything more than a conditional leave to return.

Your statement of the decline of commerce in the United Provinces agrees exactly with that which we have received from other hands. I lament that a nation, which has such important reasons for exertion, and such means in their power, should want vigor to call them forth. They must and will, however, sooner or later, be brought to it. A separate peace with England is now impossible, without degrading the character of the nation and exposing it to greater evils than they are threatened with from England. Besides, what advantages are to be derived from such a peace? Can Britain restore her conquests, now in the hands of the French? Can she give back the plunder of St. Eustatia, or the cargoes of the Indiamen divided among the captors? Can she afford them a compensation for the loss of last year's commerce? Or can she draw from her exhausted purse sufficient sums to defend the barrier against the troops of France, who would certainly avenge herself for such ingratitude?

The distress of the nation, then, must in the end force them to exertions, and however reluctantly they may go into the war, they must still go into it with vigor. But, sir, though your letters detail the politics of the country, though they very ably explain the nature and general principles of the government, they leave us in the dark with respect to more important facts. They have not led us into the dockyards or arsenals; they have not told us what ships are prepared for sea, what are preparing, what the naval force will be this spring, or how it is to be applied. You have not yet introduced us to any of the leading members of the great council; you have not repeated your private conversations with them, from which infinitely more is to be collected than from all the pamphlets scattered about the streets of Amsterdam.

If they avoid your company and conversation, it is a more unfavorable symptom than any you have mentioned, and shows clearly that your public character should have been concealed till your address had paved the way for its being acknowledged. If you have formed connexions with any of these people—and I can not but presume that you have attended to so important a point—it will be very interesting to us to have their most striking features delineated, their sentiments with

respect to us and to our opponents detailed, and the influence of each in the assembly of the States. This will best acquaint us with the principles of the government, and direct our course towards them.

Among other things, I wish to know in what light they view our cause—as just or unjust? What influence they imagine our independence will have upon the general system of Europe or their own States? What expectations they form from our commerce; whether the apprehension of its being altogether thrown into another channel if infused with address would not awaken them into action? What are the ideas of the comparative power of France and Britain, so far as it may affect them? Whether they have entered into any treaty with France since the war; if they have, what are its objects? If they have not, whether any such thing is in contemplation.

None of your letters takes the least notice of the French ambassador at The Hague. Is there no intercourse between you? If not, to what is it to be attributed? It appears to me that our interests in Holland are similar to those of France. They are interested with us in forwarding our loans; in procuring a public acknowledgment of our independence; in urging the States to exertion. They have considerable influence on the government, as appears from the success that the loan, under their guarantee, met with.

I must again, therefore, request you to spend much of your time at The Hague, that great centre of politics, to cultivate the acquaintance and friendship of the French ambassador, to confer with him freely and candidly upon the state of our affairs; and by this means, to extend your acquaintance to the other representatives of crowned heads at The Hague. Your having no public character, together with our avowed contempt for rank and idle ceremony, will greatly facilitate your intercourse with them, and enable you to efface the ill impressions they daily receive of us from our enemies.

You see, sir, I rely so much upon your good sense as to write with freedom to you, and to mark out that line which I conceive will best tend to render your mission useful. Should I suggest anything which you may not approve, I should be happy to be informed of it, and the reasons upon which you act; so that I may be able fully to justify your measures, if at any time they should not be entirely approved on this side of the water. I communicated to Congress the letter from Doctor Franklin relative to your salary, in consequence of which they have directed the superintendent of the finances to make provisions for it in future.

We have no intelligence of importance at this time, but have our eyes fixed with anxious expectation on the West Indies, whence we hourly expect to hear the particulars of the engagement between the Count de Grasse and Hood, and the issue of the attack upon St. Christopher's.

To the southward things remain in the state they were, though we have some reason to believe the enemy entertain serious thoughts of

withdrawing their troops from Charleston. Thirty empty transports have sailed from New York, with a view, as is said, to fetch them to that place, which will be the last they quit on the continent. This we ought not to lament, since there is no situation better adapted to concentrate our force, and no part of America so easily defended with inferior force as the ridge of hills which shut it in, at the same time that it is totally indefensible against a combined attack by land and water. So that we may reasonably hope that York will again be fatal to the British arms. Every preparation is making to render it so.

I write nothing to you on the subject of a negociation, conveyances to Doctor Franklin being more easily obtained, as well as more secure. Every instruction on that head is sent to him, and will, of course, be communicated to you by the time you need it.

Nothing can be more pleasing, after the chaos into which our affairs were plunged, than the order which begins now to be established in every department. Paper ceases to be a medium, except the bank paper, which is in equal credit with specie; gold and silver have found their passage into the country; restrictions on commerce are removed; it flows in a thousand new channels, and has introduced the greatest plenty of every necessary, and even every luxury of life. Our harvests have been so abundant that provisions are in the utmost plenty. All the supplies of the army are procured by contracts, and the heavy load of purchasing and issuing commissaries is discharged. In short, our affairs wear such a face here at present that if we are only supported this year by foreign loans, we shall not be under the necessity of calling for them again. Would to Heaven that the present aspect of affairs might render your endeavors on this head successful. The use it would be of to the community would amply compensate you for all the pain and distress which your fruitless endeavors have occasioned you.

Among other articles of intelligence, I ought to inform you that Burgoyne is exchanged, and that an exchange is now on foot for Cornwallis, in which it is designed that Mr. Laurens shall be included. The British seem extremely anxious to have him, and to give him the command of their army in America. We who know him best have no objection to the measure. If they wish to carry on an active war, his precipitation will lead them into new difficulties. If to defend particular posts, they can not put them into the hands of a man who knows less about the matter. His defence of York was a most contemptible series of blunders. We shall, besides these, derive two decisive advantages from his command; while a detestation of his cruelty has united the Whigs, the tenth article of the capitulation at York has destroyed the confidence of the Tories.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Dana to Livingston.\*

No. 1.

ST. PETERSBURGH, *March 5, 1782.*

SIR : I had the honor of the triplicate of your letter of the 22d of last October, on the 20th instant. It was forwarded to me by that amiable nobleman, the Marquis de la Fayette. The original or duplicate has not yet come to hand.

I am much pleased that Congress have thought fit to create the office of secretary for foreign affairs, and to direct their foreign ministers to correspond through that department. This will, doubtless, be the means of keeping them properly informed about the affairs of our country. I am happy to learn also that the choice of Congress has fallen upon a gentleman not less distinguished for his abilities and integrity than for the early and decided part he took, and has steadily pursued from the commencement of our revolution.

We received the important news of the surrender of Lord Cornwallis and his army, on the 13th of December. Soon after came the account of General Greene's action, which you mention also. The first seemed to have settled every one's mind upon the real state of desperation of the British affairs within the United States ; the other, though very important to us in its consequences, made apparently but little impression, owing, perhaps, to two causes, that it followed so nearly after so capital and brilliant an event, and that it was scarce possible to add to the conviction which the former carried along with it. From this state of things it may be imagined that the way is open to us to make our advances. The conclusion, I believe, would be too hasty. For the time does not so much depend upon the real sentiments which her Imperial majesty and her ministers may entertain of the stability of our independence as upon other circumstances. To explain myself. Her majesty has, doubtless, a wish to add to her other glories that of mediating a peace between the great powers who are now at war. For although her first attempt to mediate between Britain and Holland was rejected by the former, and her second, in conjunction with the Emperor, between Britain and the other belligerent powers may be said to be at a full stand, yet, as you are informed long before this time, she set on foot a third, in conjunction with the kings of Sweden and Denmark, between Britain and Holland, which Britain rejected so far as respects that of the two kings accepting of the *sole* mediation of her Imperial majesty. This is still in agitation. A minister before this time has arrived from this country in Holland to assist Prince Gallitzen in it. But, from every thing I can learn, there is not the least probability of its succeeding. I am told it is not even expected by any of her majesty's ministers.

However this in fact may be, so long as her majesty continues to

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\* MSS. Dep. of State ; 4 Sparks' Dip. Rev. Corr., 609.



tender her mediation, partial or general, so long it appears to me prudent for us to refrain from making any open advances. For however strongly convinced her majesty may be that our independence is now laid on a foundation which Britain can never destroy or shake, however clearly she may see that the freedom of the commerce and of the navigation of Europe absolutely depend upon the severance of America from the British Empire, and however beneficial she may suppose a direct and free commerce with America would be to her empire, yet she could not consistently with the character of a mediator form any political connexions with the United States, or manifest an attachment to their interests. She would, therefore, feel herself under a necessity to reject any propositions we have to make to her, if made under such circumstances. And though we could be assured that this rejection would be made with as much delicacy or as much respect to the United States as the case would admit of, yet is it not advisable to delay making any open advances till this business of mediation should be entirely done away, and not unnecessarily expose ourselves to a repulse, which, it is probable, would in the end rather retard than advance our business?

By these and similar sentiments I have been hitherto induced not to make the communication spoken of in my former despatches from hence. I hope my conduct in this respect will be approved by Congress. Notwithstanding what I have said above, if I really thought with my correspondent that her Imperial majesty had adopted the system mentioned in his letter to me of the 12th of September, viz., "not to acknowledge the independence of the United States till Britain herself had done it," I should soon bring the business to a conclusion, and take my leave of this court, not thinking it conformable to the views of Congress to support a minister at a court which should adopt and be likely to persevere in such a system.

You seem desirous of my sentiments upon the state of affairs, particularly relative to the mediation, whether general or partial. I have given them to you on that head very briefly above, and I can only add that, from the best intelligence I can obtain, we shall not hear much more of the mediation till another campaign is closed; that things will remain nearly in their present state in Europe through this year, unless Holland, by the prevalence of the patriotic party, should be able to make some exertion, and come to a decision about the much talked of alliances with the enemies of Britain. Whether this will probably take place, you will be better informed from that quarter than from me.

The acts of accession and acceptation on the part of the Emperor and Empress, relative to the neutral confederations, were exchanged here a few days after the date of my last letter to the President. A want of connexion is observable among the powers who have adopted this system; they are divided into three parties, the Empress standing at the head of each. First, Russia, Denmark, Sweden, and Holland; next Russia and Prussia; and lastly Russia, with the Emperor. These



parties are without connexion one with the other, unless it should be supposed that the Empress, being a party in each of them, connects the whole; but this must necessarily be a feeble connexion, as it imposes no duties and confers no rights which are in common to all the powers which have adopted the system. The principles of it, however, have acquired some support by these last accessions, particularly by that of Prussia, and it seems highly probable that they will not fail of being established as the clear rights of neutral nations at the close of the present war. During the continuance of it, unless Britain should be so imprudent as to commit further infractions upon this system, we may not see any thing more arise out of these associations. For if the subjects of the confederated powers at present in a state of neutrality meet with no further obstruction in their commerce or navigation, their end is answered. Neither Russia, Sweden, nor Denmark will give themselves much concern to vindicate the right of Holland to participate in the benefits of the system, according to their demands, especially the two last, who derive very great advantages from the present situation of the Dutch. Holland has let her opportunity slip by unimproved, and she must patiently wait the return of a *general* peace for the restoration of her rights, whether founded in her treaties with Britain or in this new system.

You will excuse my referring you to my former despatches, because it would be imprudent to send copies of them with this by the post. Duplicates have already been forwarded. If I had a private conveyance, I should be more particular under the head of mediation and neutral confederation, as well as enter into an explanation of some parts of my former despatches from hence. I have not yet received any account of my letters sent from France; you will doubtless pay an attention to such parts of them as may require it. If you will direct your letters for me to the care of Mr. Adams, whenever they may come on in that course, he will be careful to forward them to me in a way which we have settled for our correspondence. As it will be more convenient, I shall request Mr. Adams to send you along with this the reply which the Imperial courts made to the answers of the belligerent powers to their propositions for a general pacification, and also the final answer of the court of Versailles. Although you may probably receive these through another channel, yet perhaps that is not a good reason why we should fail to furnish you with them.

I am, sir, with much esteem, &c.,

FRANCIS DANA.

P. S.—I hope to have an opportunity to forward next week, to the care of Mr. Adams, two or three court almanacs for you in French. The other books I will procure for you as soon as possible, but as they will be cumbersome, it is not probable I shall find any other conveyance from hence than by water for them. I shall at all times be very happy to have an opportunity to execute any of your commands.

Livingston to Rendon.\*

PHILADELPHIA, *March 6, 1782.*

SIR: I will with pleasure give you such information on the subjects you write upon as I can with propriety mention to a gentleman of whose attachment I entertain no doubt, but who has, nevertheless, given me no reason to think that his inquiries have any farther object than his personal satisfaction.†

1. In answer to the first question, I can only inform you that Congress have voted thirty-six thousand infantry, which, with the cavalry and artillery, will amount to about forty thousand men. It is not probable, however, that the whole of this number will be raised; I think it would be prudent to make a deduction of about one-fourth. But you have been too long in this country to form any judgment of the strength of our army from the regular establishment, since it has been, and always will be, increased (more particularly in the Northern States) by large bodies of militia, when their apprehensions or the hope of splendid advantages shall call them forth. Of this the events of the year 1777, among others, afford the most striking evidence.

2. It is not expected that in the present situation of the country, the whole sum of eight millions of dollars can be raised in time. What the deficiency will be must depend on the motions and strength of our enemy early next spring; the success of our commerce; the remittances that shall be made to this country by our allies, which, being expended here, may, by frequent taxes, be brought into the public Treasury and repeatedly applied to public use.

3. The resources of the next campaign lay in taxation, in the strictest economy, and in the assistance which we may reasonably hope to receive from the enemies of Great Britain, while we are making every exertion in the common cause. We flatter ourselves that those powers who wish for peace and who see America as the great object of Britain in carrying on the war will not suffer it to be lengthened out beyond the present year, when by a moderate supply to us they can terminate it in the course of one campaign. We form some expectations from the wisdom and generosity of Spain; and as we know she has the means, so we can not suppose she will want the inclination to promote her own interests and insure the esteem and gratitude of a rising nation, whose commerce and alliance can not but be important from the situation of her colonies.

4. This question is answered above, only it may be proper to observe that if in this reasonable expectation America should be disappointed she will still find resources in herself, not indeed to expel the enemy, but to preclude them from extending their conquests, and to compel

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 171, with verbal changes.

† Rendon was a Spanish gentleman residing in Philadelphia, and apparently entrusted with some kind of agency by the Spanish Government.—SPARKS.

them to offer her such terms as are necessary for her security, though perhaps short of her wishes.

5. The commercial connection between the United States and Spain will naturally be very extensive if it meets with the least encouragement. The Spanish islands will be supplied with provisions from them at such easy rates as must give them great advantages in the cultivation of sugars, for which America will afford a considerable market; fish, lumber, and iron will also be exported to them if it should be permitted; and salt, as well as sugar, brought back in return, if the duties should be lowered, or a drawback allowed on the exportation. Our trade with Spain will consist chiefly in naval stores, masts, iron, fur, fish, and tobacco; in return for which we shall take the produce and manufactures of Spain of almost every kind.

6. It is impossible for the United States to use means to prevent an illicit commerce with the Spanish colonies without interfering in their internal regulations. All they can do is to consider the regulations made for that purpose as binding upon their subjects, and not to demand satisfaction if they suffer by the penalties which the laws attempted to be infringed may impose. To this they will not object while the punishment is reasonable and not confined to crimes committed within the jurisdiction of the power imposing it. If it is extended further, such further extension must depend upon treaties between the United States and Spain, and will be the subject of discussion whenever such treaty shall be set on foot. To this must be referred the 8th question.

7. Spain will be allowed, without the least difficulty, either to purchase vessels built in America or to appoint agents of her own for building vessels of any kind, as well as for arming them, if she thinks proper, from the iron foundries which are lately erected here, and which will continue to increase in proportion to the encouragement which shall be given them.

The last question must be referred to a general treaty, and is of such a nature as not to be properly answered here.\*

I am, with great regard and esteem,

ROBERT R. LIVINGSTON.

Franklin to Morris.†

PASSY, *March 7, 1782.*

SIR: I just received the letter you did me the honor of writing to me the 7th of January, with the duplicates of sundry others. I imagine by this conveyance you will be pretty fully informed of the state of

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\* The question here referred to is as follows: "In case that Spain succeeds in conquering East Florida, what will be the pretensions of Congress in regard to the southern boundaries of Georgia?"

† MSS. Dep. of State; 7 Bigelow's Franklin, 409.

funds here, by which you will be enabled so to regulate your drafts as that our credit in Europe may not be ruined and your friend killed with vexation.

The cargo of the *Marquis de la Fayette* is all replaced and at Brest, but the late loss of transports has occasioned a difficulty in conveying them. You will see by the enclosed letters the measures I have taken and my disappointment. Captain Barry thinks himself too much confined by your orders to allow him to go to Brest as I desired; and, as the minister of the marine was pleased with my intention of employing that ship in taking a part (he hoped 400 tons), he promised to endeavor to help us in forwarding the rest; but when he sees that we will not help ourselves, but throw every burden upon our friends, I fear it may put him out of humor. I find by experience that great affairs and great men are sometimes influenced by small matters, and that it is not good to differ with or disoblige them or even their secretaries. I have apprehended that the little misunderstanding between two persons in Philadelphia, of which you gave me an account, together with the refusal of allowing the Virginia supply, had for some time an ill effect here. You will see on comparing my modest letter of the —— February with the answer that if I had replied, which I could easily have done, a dispute might have arisen out of it, in which, if I had got the better, I should perhaps have got nothing else. I have therefore pocketed several of the observations that are not well founded, and console myself for the present with the 6,000,000 livres, relying on your promise that no more loan-office bills shall be drawn on me after the first of April.

I shall, I believe, be able to pay in due time the drafts in favor of Messrs. Ross & Bingham. As to Mr. Holker, if the debt you mention as due to him is for clothes, etc., sent to him by Mr. Chaumont, it may as well remain unpaid, Mr. Chaumont having refused to pay me about 70,000 livres on account of the neglect of Congress to discharge a demand he held against them made by Mr. Holker. Goods of his, delivered at Charleston to General Lincoln, for the use of the troops, are mentioned by him as still unpaid for.

I congratulate you on the success of the banks. I have wrote to Mr. Bache to interest me in a share.

You will see by the English papers which I send to Mr. Secretary Livingston that the sense of the nation is now fully against the continuance of the American war. The petitions of the cities of London and Bristol were unanimous against it; Lord North mustered all his force, yet had a majority against him of nineteen. It is said there were but two who voted with him that are not placemen or pensioners, and that even these in their private conversations condemn the prosecution of the war and lay it all upon the king's obstinacy. We must not, however, be lulled by these appearances. That nation is changeable, and, though somewhat humbled at present, a little success may make them as insolent as ever. I remember that, when I was a boxing boy, it was

allowed, even after an adversary said he had enough, to give him a rising blow. Let ours be a douser.

With great regard and esteem, I have the honor to be, sir, etc.

P. S.—Your fine boys are well and just by me.

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Luzerne to the President of Congress.\*

[Translation.]

PHILADELPHIA, *March 8, 1782.*

SIR: I have the honor of informing your excellency that I am about to take a journey to Virginia and shall probably be absent some weeks. M. de Marbois will remain here during this interval as *chargé d'affaires* of his majesty. Be pleased to honor him with your confidence in case that circumstances shall render it necessary for him to make any communication to Congress.

If your excellency has any commissions with which to entrust me for Virginia I entreat you to be assured of my punctuality in performing them.

I am, sir, respectfully, &c.,

LUZERNE.

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Livingston to Jay.†

PHILADELPHIA, *March 8, 1782.*

DEAR SIR: I shall leave town to-morrow, and be absent a few weeks. I do not care to do it without letting you know that we have nothing worth telling you. For want of positive you must be content with negative information, which sometimes has its use, and failing of any other at least serves to provoke an answer and makes those to whom it is addressed ashamed of their silence when they can collect anything to communicate. I just now learn that General Greene has moved to the Quarter House, five miles from Charleston, and detached a part of his army to Georgia. The enemy have evacuated all the outposts they held in that State, and retired into Savannah. It is imagined that they will shortly evacuate and concentrate their forces at New York. Empty transports have sailed from the latter place, but whether to bring away the troops from Charleston I can not say. We are extremely anxious to hear the event of a battle which has been fought in the West Indies between the fleets, but of which we know nothing certain.

Enclosed you have a copy of a letter from Mr. Pollock, who is well acquainted with the country about the Mississippi; it contains some information which may be of use to you. I also enclose you sundry

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\* MSS. Dep. of State; 6 Sparks' Dep. Rev. Corr., 52.

† MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 378.

resolutions of Congress organizing the office of Foreign Affairs, from which you will learn the extent of my powers and not be misled by supposing them greater than they are.

I am, dear sir, with great esteem and affection,

ROBERT R. LIVINGSTON.

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Morris to the Governors of the States.\*

OFFICE OF FINANCE, *March 9, 1782.*

SIR : On the 20th and 27th of last month, the United States in Congress passed acts for settling and finally adjusting all the public accounts up to the first day of the present year. These important acts would immediately have been transmitted, but I wait the event of some additional propositions upon that subject which are now under the deliberation of Congress, and then I shall have the honor of laying before you the whole of this very important business, so that it may be maturely considered in a general and comprehensive point of view.

At present I shall confine myself to congratulating your excellency, which I do with the most unfeigned pleasure, on the prospect which begins to open of adjusting these intricate and almost obsolete transactions, of relieving the various public creditors, and consequently of rescuing and restoring the public credit. Let me add, sir, that I consider these things essential to the consolidation of our Federal Union, to the promotion of general harmony and generous confidence throughout the United States, and to the establishment of our glorious independence on the solid basis of justice. I am to request, sir, that your public accounts be put in a state of preparation, so that the person appointed for that purpose may be able speedily to investigate them, as much time, and consequently much expense, will be thereby spared.

I have the honor to be, etc.,

ROBERT MORRIS.

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Morris to Grand.†

OFFICE OF FINANCE, *March 9, 1782.*

SIR : In a letter of this day to Benjamin Franklin, minister plenipotentiary of the United States of America to the court of Versailles, I inform him (which information I am now to convey to you) that I shall draw bills on you, as a market for them may offer, to the amount of five hundred thousand livres Tournois, on account of the United States of North America. I have detailed to him every thing necessary on the subject, which he will communicate. I am to request of you that you will duly honor and pay those bills, giving me notice of every transaction, from time to time, as occasion may offer and require. The neces-

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\* 6 Sparks' Dip. Rev. Corr., 442.

† 6 Sparks' Dip. Rev. Corr., 443.



sary funds are, I presume, in your hands already, or will be before this reaches you ; but at any rate Dr. Franklin will provide them in season.

I have the honor to be, &c.,

ROBERT MORRIS.

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Morris to the President of Congress.\*

OFFICE OF FINANCE, *March 9, 1782.*

SIR: The honorable the Secretary of Foreign Affairs yesterday transmitted to this office the letters and invoice brought by Major Jackson from Messrs. Neufville, of Amsterdam. Upon perusing them I am very sorry to observe not only that there has been very great mismanagement, but also that the letters do not contain that clear and satisfactory account of the business which ought to have been transmitted. There is reason to believe that a considerable part of these goods are of British manufacture, and consequently such as can not be brought within the United States. As these matters are not clearly stated, it would be useless to go at present into an inquiry who has been or is to blame, and therefore any particular observations from me would be both unnecessary and improper.

I have written to his excellency Mr. Franklin to take this business under his inspection, and to cause all the goods of British growth or manufacture to be sold. As to the remainder of the goods, the propriety of selling or shipping them must depend on many circumstances, a knowledge of which can not be acquired here, so as to give consistent orders what shall be done there. I have, therefore, desired Mr. Franklin to cause these goods to be so disposed of as shall to him appear most for the interest of the United States. My reasons for referring the whole matter to him were that he has already had so much to do with it as at least to have paid the money, and is, I presume, privy to the original agreements made by Colonel Laurens. That because he will know what goods are coming out from France, and consequently how far any or all of those in Amsterdam, which are not of British manufacture, may be necessary for us; that he will have an opportunity of explaining such parts of the business as may be proper to explain to the court of France, which has had some reason to complain, or at least thinks that she has. And, finally, that I shall draw bills, the payment of which will be at Paris under his direction, and, if the other resources fail, the proceeds of these goods will enable him to honor them.

With great respect, I am, &c.,

ROBERT MORRIS.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 443, with verbal changes.

Franklin to Livingston.\*

PASSY, *March 9, 1782.*

SIR: I have just received the honor of yours dated January the 7th. Your communications of the sentiments of Congress with regard to many points that may come under consideration in a treaty of peace give me great pleasure, and the more as they agree so perfectly with my own opinions and furnish me with additional arguments in their support. I shall be more particular on this subject in my next, for having notice from Captain Barry last night that he will not go to Brest, as I expected, to take in some of our goods, but will sail immediately on the return of the post, which sets out to-day, I am obliged to be short.

You will see in the enclosed newspapers the full debate in the House of Commons on the subject of declining the war with North America. By private advices I learn that the whole opposition, now become the majority, went up in a body with the address to the king, who answered that he would pay a due regard to the advice of his faithful commons, and employ his forces with more vigor against the ancient enemies of the nation, or to that purpose; and that orders were immediately given for taking up a great number of large transports, among which are many old India ships, whence it is conjectured that they intend some great effort in the West Indies, and perhaps mean to carry off their troops and stores from New York and Charleston. I hope, however, that we shall not, in expectation of this, relax in our preparations for the approaching campaign. I will procure the books you write for and send them as soon as possible.

Present my duty to the Congress, and believe me to be, with sincere esteem, &c.,

B. FRANKLIN.

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 Livingston to Franklin.†
PHILADELPHIA, *March 9, 1782.*

DEAR SIR: The enclosed letter from the superintendent of finance was written in consequence of the resolutions of which I sent you a copy in my last. I then detailed so fully on the subject, that I can give you no further information on that head than is contained in the enclosed, which, as I was just going out of town, I have requested Mr. Morris to put in his cipher.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 227; 7 Bigelow's Franklin, 408.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 223.

J. Adams to Livingston.\*

AMSTERDAM, *March* 10, 1782.

SIR: By the address of the House of Commons to the king, his majesty's answer, and the resolution of the House in consequence of it, "that he would be highly criminal and an enemy to his country who should attempt to carry on an offensive war in America against the sense of the House;" by the surrender of Minorca and the disastrous face of British affairs in Ireland, as well as in the East and West Indies, and by the uncommon difficulties which my Lord North finds in raising the loan, I think we may fairly conclude that the United States are not to expect those horrid scenes of fire and sword in future, which they have so often seen heretofore.

Among the causes which have operated to this effect, may be reckoned the late ordinance of Congress against British manufactures, and the prospects which have been opened to them in Holland of a sudden revival of the Dutch manufactures of Delft, Leyden, Utrecht, and indeed all the other cities in the republic. The English have found all their artifices to raise mobs in their favor in the republic to be vain; they found that there began to be an appearance of danger of popular tumults against them; they have seen their friends in this country driven out of their strongholds, and forced to combat on the retreat; they have found that the American cause gained ground on them every day, and that serious indications were given of a disposition to acknowledge our independence for the sake of reviving their manufactures and extending their commerce, all which together has raised a kind of panic in the nation, and such a fermentation in Parliament as has produced a formal renunciation of the principle of the American war.

The question now arises, what measure will the cabinet of St. James pursue? Will they agree to the Congress at Vienna? I believe not. Will they treat with the American peace minister now in Europe? I fancy not. They will more probably send agents to America to propose some mad plan of American viceroys and American nobility, and what not, except common sense and common utility.

I presume with submission, however, that Congress will enter into no treaty or conference with them, but refer them to their ministers in Europe.

France and Spain, I think, can not mistake their interest and duty upon this occasion, which is to strike the most decided strokes to take the British armies in New York and Charleston prisoners. Without this, in all probability, before another revolution of the seasons, all the United States will be evacuated, the British forces sent to Quebec, Halifax, and the West India Islands, where it will cost France and Spain more time, blood, and treasure to dispose of them than it will this campaign to capture them in New York and Charleston.

With the greatest respect and esteem, I have the honor to be, &c.,  
JOHN ADAMS.

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Coll., 558.

**Secret Journal of Congress, Prize money, *Bon Homme Richard*.\***

MARCH 11, 1782.

On the report of a committee, to whom was referred a letter of 26th February, from the secretary for foreign affairs,

*Resolved*, That the secretary for foreign affairs draw up a memorial on the subject of the prize money due to the officers and crews of the *Bon Homme Richard*, and the *Alliance* frigate, in the hands of the sieur Le Ray de Chaumont, in Paris, and request the minister of France to transmit the same, with the vouchers to support it, to his court, and obtain the interposition of his court to have immediate justice done to the claimants, by the payment of the prize money into the hands of the consul-general of these United States in France, for the use of, and to be distributed among, the said officers and crews, agreeably to the rules of the Navy of the United States; and that the secretary for foreign affairs write to the consul of the United States in France to exert himself in obtaining justice for the claimants.

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**Franklin to J. Adams.\***

PASSY, *March* 11, 1782.

SIR: I have just received a number of packets from America. In opening them I did not perceive that the enclosed was directed for you till I began to read the letter it contained. I beg you will excuse this inadvertence.

I congratulate you on the change of disposition in the English nation with regard to America. Misfortunes make people wise, and at present they seem to be in the way of learning wisdom. But a little success this campaign will make them as foolish and as insolent as ever. With great esteem, I have the honor to be, sir, your excellency's, &c.

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**J. Adams to Livingston.†**

AMSTERDAM, *March* 11, 1782.

SIR: The promise which was made me by M. Bergsma, that I should have an answer from the Province of Friesland in three weeks, has been literally fulfilled. This gentleman, who, as well as his province, deserves to be remembered in America, sent me a copy of the resolution as soon as it passed. It is now public in all the gazettes, and is conceived in these terms:

The requisition of Mr. Adams for presenting his letters of credence from the United States of North America to their high mightinesses having been brought into the

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\* MSS. Dep. of State.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 560, with verbal changes; 7 J. Adams' Works, 537.

assembly and put into deliberation, as also the ulterior address to the same purpose, with the demand of a categorical answer made by him, as is more amply mentioned in the minutes of their high mightinesses of the 4th of May, 1781, and the 9th of January, 1782, whereupon it having been taken into consideration that the said Mr. Adams would probably have some propositions to make to their high mightinesses, and to present to them the principal articles and foundations upon which the Congress, on their part, would enter into a treaty of commerce and friendship, or other affairs to propose, in regard to which despatch would be requisite :

It has been thought fit and resolved to authorise the gentlemen the deputies of this province at the Generality, and to instruct them to direct things at the table of their high mightinesses in such a manner that the said Mr. Adams be admitted forthwith as minister of the Congress of North America, with further order to the said deputies that if there should be made, moreover, any similar propositions by the same, to inform immediately their noble mightinesses of them. And an extract of the present resolution shall be sent them for their information, that they may conduct themselves conformably.

Thus resolved at the Province House the 26th of February, 1782.

A. I. V. SMINIA.

This resolution has, by the deputies of Friesland, been laid before their high mightinesses at The Hague, and after deliberation the deputies of the Provinces of Guelderland, Zealand, Utrecht, and Groningen have taken copies of it to be communicated more amply to their constituents. In the States of the Province of Holland and West Friesland the requisition of the 9th of January had been committed to the committee of grand affairs, and taken into deliberation by the body of nobles, and *ad referendum* by all the eighteen cities.

The sovereignty of the United States of America would undoubtedly be acknowledged by the seven United Provinces and their minister received to an audience in state in the course of a few weeks if the regency of the city of Amsterdam had not visibly altered its sentiments; but all things are embroiled. The opposition to M. Van Berckel and the glittering charms of an embassy to Petersburg or Vienna, which have been artfully displayed, as it is said, before the eyes of one man, and many secret reasonings of similar kind with others, have placed the last hopes of the English and Dutch courts in a city which had long been firm in opposition to the desires of both. The public in general, however, expect that the example of the Friesians will be followed. Wherever I go, everybody almost, congratulates me upon the prospect of my being soon received at The Hague. The French gazettes all give their opinions very decidedly that it will be done, and the Dutch gazettes all breathe out, God grant that it may be so. I confess, however, that I doubt it; at least I am sure that a very little thing may prevent it. It is certain that the court will oppose it in secret with all their engines, although they are already too unpopular to venture to increase the odium by an open opposition.

Friesland is said to be a sure index of the national sense. The people of that Province have been ever famous for the spirit of liberty. The feudal system never was admitted among them; they never would submit to it, and they have preserved those privileges which all others have

long since surrendered. The regencies are chosen by the people, and on all critical occasions the Friesians have displayed a resolution and an activity beyond the other members of the state. I am told that the Friesians never undertake anything but they carry it through, and, therefore, that I may depend upon it they will force their way to a connexion with America. This may be the case if the war continues and the enemies of Great Britain continue to be successful; but I have no expectations of anything very soon, because I have much better information than the public of the secret intrigues both at The Hague and Amsterdam. Patience, however. We have nothing to fear. Courtiers, aristocrats, as well as the people, all say, "You know very well we love the Americans, and will ever be their good friends." This love and friendship consists, however, rather too much in mere words, "Be ye warmed," &c., and a strong desire of gain by your commerce.

I have the honor to be, &c..

JOHN ADAMS.

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Hartley to Franklin.\*

LONDON, *March* 11, 1782.

MY DEAR FRIEND, Mr. Digges, who will deliver this to you, informs me that, having been applied to for the purpose of communicating with Mr. Adams on the subject of his commission for treating of peace, he is now setting out for Amsterdam, and that he intends afterwards to go to Paris to wait upon you. I understand the occasion to have arisen by some mention having been made in Parliament by General Conway of persons not far off having authority to treat of peace, which was supposed to allude to Mr. Adams and some friends of his in London. The ministry were therefore induced to make some inquiries themselves. This is what I am informed of the matter:

When the proposal was made to Mr. Digges, he consulted me, I believe from motives of caution, that he might know what ground he had to stand upon, but not in the least apprized that I had been in any degree in course of corresponding with you on the subject of negotiation. As I had informed the ministry from you that other persons besides yourself were invested with powers of treating, I have nothing to say against their consulting the several respective parties. That is their own concern. I shall at all times content myself with observing the duties of my own conduct, attending to all circumstances with circumspection, and then leaving the conduct of others to their own reasons. I presume that ministry have only done what others would have done in their situation to procure the most ample information that the case will admit. I rest contented to act in my own sphere, and if my

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\* 2 Spark's Dip. Rev. Corr., 228.



exertions can be applied to any public good, I shall always be ready to take my part with sincerity and zeal.

I am, my dear friend, your ever affectionate,

D. HARTLEY.

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Hartley to Franklin.\*

LONDON, *March* 12, 1782.

MY DEAR FRIEND: Enclosed with this I transmit to you the public parliamentary proceedings respecting the American war. If you will compare these proceedings with some others in several of the counties of this kingdom about two years ago, you will at once see the reason why many persons, who from principles of general and enlarged philanthropy do most certainly wish universal peace to mankind, yet seem restrained in their mode of endeavoring to obtain that object. We must accommodate our endeavors to practicabilities, in the strong hope that, if the work of peace was once begun, it would soon become general. Parliament having declared their sentiments by their public proceedings, a general bill will soon pass to enable administration to treat with America and to conclude.

As to the sincerity of the ministry, that will be judged of by their conduct in any treaty. The first object is to procure a meeting of qualified and authorised persons. You have told me that four persons are empowered by a special commission to treat of peace. Are we to understand that each separately has power to conclude or in what manner? The four persons whom you have mentioned are in four different parts of the world, viz: three of them in hostile States, and the fourth under circumstances very peculiar for a negociator. When I told Mr. Laurens that his name was in the commission, I found him entirely ignorant of every circumstance relating to it. I understand that the ministry will be ready to proceed towards opening a negotiation as soon as the bill shall pass, and therefore it is necessary to consult time, and place, and manner, and persons on each side. The negotiation itself will speak the rest.

I have been informed that some gentlemen in this country (not in administration) have lately entered into a correspondence with Mr. Adams, relating to his commission of treating for peace, and that, their previous inquiries having been spoken of in public, the ministry have been induced to make some inquiry themselves from Mr. Adams on that subject. In whatever way a fair treaty may be opened, by whomsoever or with whomsoever, I shall heartily wish good success to it for the common good and peace of mankind. I know these to be your sentiments, and I am confident that they will ever remain so, and hope that you will believe the same of me.

I am, ever, your most affectionate

D. HARTLEY.

Marbois to Vergennes.\*

PHILADELPHIA, *March* 13, 1782.

SIR: South Carolina again enjoys the benefit of a legislative body after having been deprived of it for two years. It was summoned together towards the end of last January, at Jacksonburgh, only ten leagues distant from Charleston, where deliberations are carried on with as much tranquillity as if the State were in profound peace. Mr. Rutledge, who was the governor, opened the meeting with a speech greatly applauded, wherein he represents in their full extent the important services rendered by the king to the United States, expressing their just acknowledgments for the same. This sentiment prevails much, sir; the different States are eager to express it in their public acts, and the principal members of Government, and the writers employed there would forfeit their popularity were they to admit any equivocal remarks respecting the alliance. General Greene affirms that in no one State is attachment to independence carried to a higher pitch, and that this affection is yet exceeded by the hatred borne to England. The assembly of Carolina is going to make levies of men and has imposed pretty large sums. As there is but little money in the country the taxes will be gathered in indigo, and what deficiency may thus be found will be supplied by the sale of lands of such Carolinians as joined the enemy while they were in possession of the country. South Carolina was the only State that had not confiscated the property of the disaffected. The step just taken puts her on a footing with the other States of the Union. The assembly of this State has passed a resolution, in consequence of which a purchase of land is to be made of the value of 240,000 livres Tournois, which Carolina makes a present of to General Greene as the saviour of that province. Mr. Mathews, a delegate lately arrived in South Carolina from Congress, has, it is said, been chosen governor in the room of Mr. Rutledge, and has communicated to persons of the most influence in his State the ultimatum of the month of ——— last, who approved of the clauses in general, and particularly of that one which leaves the king master of the terms of the treaty of peace, or truce, excepting independence and treaties of alliance. A delegate from South Carolina told me that this ultimatum was equally well known by persons of note in this State, and it has given entire satisfaction there. It is the same with regard to several other States, and I believe I may assure you, upon the testimony of several delegates, that the measure is approved by a good majority. But Mr. Samuel Adams is using all his endeavors to raise in the State of Massachusetts Bay a strong opposition to peace if the eastern states are not thereby

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\* 2 Pitkin's Hist. of United States, 528; 1 Jay's Life, 490. This famous letter, whose authenticity, we will see, is disputed, was said to have been in cipher and to have been intercepted, deciphered, and translated by English officers, who caused it to be given to Jay in Paris. Jay forwarded the translation to Congress.

admitted to the fisheries, and particularly to that of Newfoundland. Mr. Adams delights in trouble and difficulty and prides himself on forming an opposition against the Government of which he himself is President. His aim and intentions are to render the minority of consequence, and at the very moment he is attacking the constitution of Massachusetts, although it be in a great measure his own work; but he has disliked it since the people have shown their uniform attachment to it. It may be expected that with this disposition no measure can meet the approbation of Mr. Samuel Adams, and if the United States should agree relative to the fisheries, and be certain of partaking therein, all his manœuvres and intrigues would be directed towards the conquest of Canada and Nova Scotia, but he could not have used a fitter engine than the fisheries for stirring up the passions of the eastern people. By renewing this question, which had lain dormant during his two years' absence from Boston, he has raised the expectations of the people of Massachusetts to an extraordinary pitch; the public prints hold forth the importance of the fisheries; the reigning toast in the east is, May the United States ever maintain their right to the fisheries. It has often been repeated in the deliberations of the general court, No peace without the fisheries. However dear the principle may be in this matter, it would be useless and even dangerous to attempt informing the people through the public papers, but it appears to me possible to use means for preventing the consequences of success to Mr. Samuel Adams and his party, and I take the liberty of submitting them to your discernment and indulgence. One of those means would be for the king to cause it to be intimated to Congress or the ministers, "His surprise that the Newfoundland fisheries have been included in the additional instructions; that the United States set forth therein pretensions without paying regard to the king's rights, and without considering the impossibility they are under of making conquests and keeping what belongs to Great Britain." His majesty might at the same time cause a promise to be given to Congress "of his assistance for procuring admission to the other fisheries, declaring, however, that he would not be answerable for the success, and that he is bound to nothing, as the treaty makes no mention of that article." This declaration being made before the peace, the hopes of the people could not be supported, nor could it one day hereafter be said that we left them in the dark on this point. It were even to be wished that this declaration be made whilst New York, Charleston, and Penobscot are in the enemies' hands; our allies will be less tractable than ever upon these points whenever they recover these important posts. There are some judicious persons to whom one may speak of giving up the fisheries and the ——— of the west for the sake of peace, but there are enthusiasts who fly out at this idea, and their number can not fail of increasing when, after the English are expelled this continent, the burthen of the war will scarce be felt. It is already observable that the advocates of peace are of those who live in the country;

the inhabitants of towns, whom commerce enriches; mechanics, who receive there higher pay than before the war and five or six times more than in Europe, do not wish for it. But it is a happy circumstance that this division be nearly equal in Congress and among the States, since our influence can incline the beam either for peace or war, whichever we may choose. Another means of preserving to France so important a branch of her commerce and navigation is that proposed to you (*sic.*) by Mr. ———, viz., the conquest of Cape Breton. It seems to me, as it does to that minister, the only sure means of continuing within these bounds, when peace is made, those swarms of smugglers, who, without regard to treaties, will turn all their activity, daring spirit, and means toward the fisheries; and whose undertakings Congress will not, perhaps, have the power or the will to repress. If it be apprehended that the peace which is to put an end to the present war will prove disagreeable to any of the United States, there appears to me a certain method of guarding against the effects of this discontent, of preventing the declarations of some States, and other resources which turbulent minds might employ for availing themselves of the present juncture. This would be for his majesty to cause a memorial to be delivered to Congress, wherein should be stated *the use made by his ministers of the powers entrusted to them by that assembly and the impediments which may have stood in the way of a fuller satisfaction on every point*. This step would certainly be pleasing to Congress, and should it become necessary to inform the people of this memorial it could easily be done; they would be flattered by it, and it might probably beget the voice and concurrence of the public.

I submit these thoughts to you early; and although peace appears to be yet distant, sir, by reason of the delays and difficulties attending the communications, that period will be a crisis when the partisans of France and of England will openly appear and when that power will employ every means to diminish our influence to re-establish her own. It is true the independent party will always stand in great want of our support; that the fears and jealousies which a remembrance of the former government will always produce must operate as the safeguard to our alliance and as a security for the attachment of the Americans to us; but it is best to be prepared for any discontent, though it should be but temporary.

It is remarked by some that as England has other fisheries besides Newfoundland she may perhaps endeavor that the Americans should partake in that of the Great Bank in order to conciliate their affection, or procure them some compensation, or create a subject of jealousy between them and us; but it does not seem likely that she will act so contrary to her true interest, and were she to do so it would be for the better to have declared at an early period to the Americans that their pretension is not founded and that his majesty does not mean to support it.

I here enclose, sir, translations of the speech made by the governor of South Carolina to the assembly, with his answer. These interesting productions convey in a forcible manner the sentiments of the inhabitants of that State, and appeared to me worth communicating to you.

I am, etc.,

BARBÉ DE MARBOIS.\*

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\*Barbé Marbois (Count and Marquis), from whom this letter is said to have emanated, was born at Metz, Jan. 31, 1745, and died January 14, 1837. He came to the United States in 1780, and acted in 1784, during Luzerne's temporary absence, as chargé d'affaires, and afterwards became consul-general of France for the United States, marrying in Philadelphia the daughter of William Moore, governor of Pennsylvania. In 1785 he was appointed by Louis XVI intendant of San Domingo, but returned to France in 1790, where he fell into disfavor with the Directory, and was exiled in 1797 to Guiana. He was, however, recalled by Napoleon, and became minister of finance in 1802, and was one of the negotiators in 1805 of the cession of Louisiana.

As to the letter itself the following remarks are to be made:

(1) Marbois declared to Madison that it was spurious. Madison to Jefferson, May 13, 1783; 1 Madison Papers, 531.

(2) The original was not handed to Mr. Jay, nor was it ever in his possession. It was claimed to be in cipher; whether it was correctly deciphered and afterwards correctly translated does not appear; and it must be remembered that the fabrication and mutilation of "intercepted" letters was in those days not an uncommon military artifice.

Several letters of Washington were thus corrupted.

"Other intercepted letters from America (or forged) were sent over here and published, to make the nation believe that America was ready to submit." (2 Walpole's Journal of Reign of George III, 436.) A forgery of a paper claimed to come from Congress is noticed in a letter from the committee of foreign affairs to Bingham, April 26, 1778, *supra*. See Washington's explanation of a forgery of his own letter, given in Introduction, § 30.

(3) No copy of the despatch, as I am informed by Mr. Duniol, appears in the French negotiators' archives, though it was the practice of the French negotiators in America to send generally four copies of each despatch by separate conveyances.

(4) At the same time, when the letter appeared, and when from America it was sent back to France in its English garb, Vergennes, assuming that it may have been genuine and have been correctly deciphered and translated, wrote, according to Sparks, (9 Sparks' Franklin, 462) to Luzerne that the interpretation given was "forced," and that "in the first place, the opinion of M. Marbois is not necessarily that of the king and, in the next place, the views indicated in the despatch have not been followed." Assuming, even, that the English rendering was correct, it is hard to see what answer can be made to Livingston's position; that it was a mere gossiping letter that bound nobody. As to Marbois, representing Vergennes, the object of the writer of this letter seems to have been to exhibit a young subordinate diplomatist as zealously reporting to his principal whatever news of interest might be gathered, and of making whatever suggestions this news might prompt. His tone, in fact, about the fisheries is this: "I know you think differently, but consider the facts." Supposing, as is not unlikely, that that part of the letter which related to the fisheries was genuine, it must be observed that the facts detailed were such as Marbois would be likely to gather from his Philadelphia connections, who, though staunch Whigs (George Moore, being his wife's father and George Thomas Wharton her uncle), were closely allied to Robert Morris, had no particular interest in the fisheries, and who were by no means disposed (having in this respect a majority of Congress on their side) to make a full retention of the old rights to the fisheries a condition of peace. Before pronouncing as to their position in this respect, it must be remembered that in the treaty of 1818



J. Adams to Dana.\*

AMSTERDAM, *March* 15, 1782.

MY DEAR SIR : Your favor of 10-21 February arrived last night, and I thank you for the copy enclosed. I think that if the court of St. James is capable of taking a hint, she may see herself advised to acknowledge the sovereignty of the United States, and admit their minister to the

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the United States reserved at least some portion of the right which they secured in 1782, such remuneration being held the only method by which could be secured the fisheries as thus limited. Now, if we can not blame Congress for taking this view of the fisheries in 1782, can we say Marbois' letter (if it be his), objecting to the fisheries being a *sine qua non*, is open, unguarded, almost trifling in its tone, to censure? What we know of Vergennes is this, that in spite of the prophecies of Adams and Jay that he would work against the cession of the fisheries to the United States, neither he, nor Luzerne, in the numerous letters from them, which have been published, or which are in the Department of State, ever expressed the slightest disapproval of the cession. Naturally enough they did not want the claim to stand in the way of peace, France being then almost bankrupt. But when it was incorporated as a condition of a provisional peace, though by objecting they could have caused the whole question to be reviewed, so far from objecting they expressed their gratification that the United States should have made such good terms.

(5) Doubts as to the accuracy of the rendering of this letter are strengthened by the varieties of the reprint in Jay's Life, vol. 1, appendix, from the draft forwarded by Mr. Jay to Mr. Livingston, and on file in the Department of State. In the former the italics are introduced in such a way as to make prominent the idea of French disapproval of the American fishery claim, while in the manuscript the underscoring is confined to the lines italicised above. There is a discrepancy, also, as to several words used; thus in the copy sent by Mr. Jay to Mr. Livingston, the position of Massachusetts is said to be "no *peace* without the fisheries," while in the appendix to Jay's Life, it reads "no *truce* without the fisheries"—positions, in view of the suggestions for a truce, by no means convertible. Massachusetts might well have said—"we will not agree to a temporary cessation of arms unless we are undisturbed in our use of the fisheries," and yet have been willing to have consented (as she did in 1815 and 1818) to some modification of the fisheries for the sake of peace.

(6) It tells very much against the accuracy of the translation, if not of the genuineness of the original, that the original either in cipher or in French as deciphered was, though repeatedly called for, never produced. If it had been in existence, it would have been exhibited, during the Paris negotiations, to show the duplicity of Vergennes. The probability is that a note from Marbois was intercepted, and then made the basis of a forgery, like that of the alleged "intercepted" letters of Washington which a short time before, were fabricated and circulated in England and France, and which were shown to have been fraudulently woven around certain genuine notes of his which had been actually intercepted.

In Mr. Jay's article on the peace negotiations of 1782 (7 Winsor's Narratives, 120), it is said: "The genuineness of this letter was placed beyond doubt by Marbois himself, who, many years later, in conversation with the late William Beach Lawrence, the learned editor of Wheaton's International Law, admitted the substantial accuracy of the translation." We are not, however, referred to the passage in Mr. Lawrence's writings in which this statement appears, and if it rests upon a mere oral remark, made many years afterward, as orally repeated, it can not be regarded as so immediate in its character as Marbois' statement almost at the time to Madison, and recorded by the latter.

\* 7 J. Adams' Works, 543.



congress. There seems to be a change of system in England, but the change is too late; the kingdom is undone, past redemption. Minorca, St. Kitts, Demarara, Essequibo, &c., gone; fleets combining to stop the channel; and, what is worse than all, deficits of taxes to pay interest appearing to the amount of half a million sterling in three years, and stocks at fifty-four or fifty-three; French and Dutch united, too, in the East Indies against them. The French have nothing to do but take prisoners the garrisons of New York and Charleston. The volunteers in Ireland again in motion.

The Dutch are now occupied in very serious thoughts of acknowledging American independence. Friesland has already done it. This is the second sovereign state in Europe that has done it. But a certain foreign faction are exhausting all their wiles to prevent it. But, would you believe it, all their hopes are in Amsterdam? But what can be the meaning of these people? How do they expect to get their islands? How do they expect to exist? We shall soon see something decisive. I am of late taken up so much with conversations and visits that I can not write much; but, what is more, my health is so feeble that it fatigues me more to write one letter than it did to write ten when we were together at Paris. In short, to confess to you a truth that is not very pleasant, I verily believe your old friend will never be again the man he was; that hideous fever has shaken him to pieces, so that he will never get firmly compacted together again.

I have bought a house at The Hague fit for the Hotel des États-Unis, or, if you will, l'Hotel du Nouveau Monde. It is in a fine situation and there is a noble spot of ground. This occasions great speculations. But my health was such that I could not risk another summer the air of Amsterdam. The house will be for my successor, ready furnished. I shall live in it myself but a short time.

I see no objection against your attempt, as you propose, to find out the real dispositions of the Empress or her ministers. You can not take any noisy measures like those I have taken here. The form of government forbids it. You can do everything that can be done in secret. I could do nothing here in secret. Thank God, public measures have had marvellous success. My boy should translate Sallust, and write to his papa. Charles sailed 10 December from Bilboa in the *Cicero*, Captain Hill. Does John study the Russian language?

Pray what is the reason that the whole armed neutrality can not agree to declare America independent, and admit you in behalf of the United States to accede to that confederation? It is so simple, so natural, so easy, so obvious a measure, and at the same time so sublime and so glorious. It is saying, let there be light and there was light. It finishes all controversies at once, and necessitates a universal peace, and even saves old England from total destruction and the last stages of horror and despair. It is so much in the character and to the taste of the Emperor and Empress that it is amazing that it is

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not done. However, thank God, we have no particular reason to wish for peace; the longer the war continues now, the better for us. If the powers of Europe will, in spite of all reason and remonstrance, continue to sport with each other's blood, it is not our fault. We have done all in our power to bring about peace. One thing I think certain, that the British forces will evacuate the United States, if not taken prisoners, this season. I can not get a copy of the miniature of General Washington made for less than twelve ducats; but will have it done notwithstanding, if you persist in the desire. We will also endeavor to send you a secretary and execute your other orders as soon as we can.

Adieu, my dear friend, adieu.

JOHN ADAMS.

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Franklin to Jay.\*

PASSY, *March 16, 1782.*

DEAR SIR: I have received your several favors of January 30th, February 11th, and March 1st, and propose to write fully to you by the next post. In the meantime this line may serve to acquaint you that I paid duly all your former bills drawn in favor of M. Cabarrus, and that, having obtained a promise of six millions for this year, to be paid me quarterly, I now see that I shall be able to pay your drafts for discharging the sums you may be obliged to borrow for paying those upon you; in which, however, I wish you to give me as much time as you can, dividing them so that they may not come upon me at once. Interest should be allowed your friends who advance for you. Please to send me a complete list of all the bills you have accepted, their numbers and dates, marking which are paid and what are still to pay.

I congratulate you upon the change of sentiments in the British nation. It has been intimated to me from thence that they are willing to make a separate peace with us, exclusive of France, Spain, and Holland, which, so far as relates to France, is impossible; and I believe they will be content that we leave them the other two; but Holland is stepping towards us, and I am not without hopes of a second loan there. And since Spain does not think our friendship worth cultivating I wish you would inform me of the whole sum we owe her, that we may think of some means of paying it off speedily.

With sincerest regard, etc.,

B. FRANKLIN.

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\* MSS. Dep. of State; 9 Sparks' Franklin, 182; 7 Bigelow's Franklin, 412.

Deane to the President of Congress.\*

GHENT, *March 17, 1782.*

SIR: I have written repeatedly to Congress, and to Mr. Morris, and enclosed my accounts; as I have not been honored with any answer, I fear either that my letters may have been intercepted, or that the multiplicity of business has prevented.

Mr. Barclay has been here some days; he has looked into my accounts with the public, and I have given him a copy of them, which he has promised me to send by the most safe conveyance, and does me the favor of enclosing this to you, which is simply to request that you would take, or procure to be taken, such measures as will bring on a final and decisive settlement of my accounts.

Mr. Barclay tells me that he has no orders on the subject, and that it lies in your department. I have, therefore, taken the liberty to address myself to you.

Mr. Barclay, after viewing my accounts, proposed that auditors, or arbitrators, should be named at Paris, to audit and settle the accounts. I have not the least objection to this, nor shall I have any against any person or persons named by Congress, provided they are such as have a competent knowledge of accounts, and are impartial. I am willing either to nominate one part of them, or to leave the whole nomination to Dr. Franklin, as Congress shall prefer, or to submit my accounts to the determination of Mr. Barclay alone, provided that he be empowered to take the opinion of disinterested persons on the spot, as to any dubious or uncertain articles, and to make a final close of the affair.

You will, by exerting your interest to bring this affair to a settlement, do, as I conceive, material service to the public, and certainly lay the utmost obligations on one who has the honor to be, with great respect and esteem, &c.,†

SILAS DEANE.

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Morris to D'Arnot.‡

OFFICE OF FINANCE, *March 18, 1782.*

SIR: I have received your note of the 9th instant, and in answer am to inform you that if his Prussian majesty should incline to procure for his subjects a part of the emoluments attending the commerce with this

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\* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 160.

† In addition to articles in the newspapers, Mr. Deane wrote a pamphlet, vindicating himself from the charges that were brought against him, chiefly by Mr. Arthur Lee, in two publications, and in his letters to Congress. This pamphlet was dated London, August 10, 1783, and entitled "*An address to the United States of North America; to which is added a letter to the Honorable Robert Morris, with notes and observations.*" This address was printed in England and the United States.—SPARKS.

‡ 6 Sparks' Dip. Rev. Corr., 444.

country, the importance whereof can be easily estimated from the riches it poured into Britain while she enjoyed the benefit of monopoly, all that is needful to be done is to set open his ports to our vessels and protect them whilst there. The merchants of this country are unrestricted in their enterprises and commercial pursuits; they will naturally trade where they shall find their profits most certain and permanent; and I have not a doubt but Prussia would have her share of their trade were the government to give the proper encouragement to it.

As to the supplies of the army of the United States, I have determined in future to contract for all such articles with individuals on whose abilities for procuring goods on the best terms I can depend. They will import them at their own risk; consequently, you see, I can by no means engage to purchase any of the commodities you mention at St. Thomas'; but as that Island seems to be the general mart in the West Indies where the people of America resort to exchange their produce for the manufactures of Europe, I have not a doubt but any of his Prussian majesty's subjects who may be inclined to this business will readily find an occasion of disposing of their goods there, and receiving in exchange for the same the staple articles of this country.

As to what relates to your personal affairs, you will find that I have conformed to your views, and I expect what is done in that respect will be much to your satisfaction.

I am, sir, &c.,

ROBERT MORRIS.

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J. Adams to Livingston.\*

AMSTERDAM, *March* 19, 1782.

SIR: I have before transmitted to you the resolution of Friesland of 26th February, 1782, by which that Province acknowledged the independence of the United States, and directed their minister to be received; but some proceedings in Guelderland deserve to follow. In an extraordinary assembly of the county of Zutphen, held at Nimeguen the 23d of February, the following measures were taken:

After the report of the committees of this Province to the Generality, laid this day upon the table, relative to what passed in the precedent assembly, and after an examination of an extract of the register of the resolutions of their high mightinesses the States-General of the Low Countries of the 9th of last month in relation to the ulterior address of Mr. Adams to the president of their high mightinesses concerning the presentation of his letters of credence to their high mightinesses in behalf of the United States of North America for, and demanding a categorical answer, whereof the gentlemen the deputies of the respective Provinces have taken copies, the Baron Robert Jasper Van der Capellan de Marsch, first by word of mouth and afterwards in writing, proposed and insisted at the assembly of this Quarter that at present, and without delay, we should make a point of deliberation, and that we should make

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 562.

upon the table the necessary overture, conceived more at length in the advice of this nobleman, inserted in these terms:

**“NOBLE AND MIGHTY LORDS:** The subscriber judges, upon good grounds, and without fear of being contradicted, that he is able to affirm that it is more than time that we should give a serious attention to the offer and invitation, in every sense honorable and advantageous for the republic, of friendship and reciprocal connexions with the thirteen American Provinces, now become free at the point of the sword, in such sort that the categorical answer demanded by their minister, Mr. Adams, may become a subject of the deliberations of your high mightinesses, and that they may decide as soon as possible concerning their respective interests. He judges that he ought not to have any further scruple in this regard, and the uncertain consequences of the mediation offered by Russia can not, when certain advantages for this republic are in question, hinder that out of regard for an enemy with whom we (however salutary the views of her Imperial majesty are represented) can not make any peace at the expense of a negligence so irreparable; that the longer delay to unite ourselves to a nation already so powerful will have for its consequence that our inhabitants will lose the means of extending in a manner the most advantageous their commerce and their prosperity; that by the rigorous prohibition to import English manufactures into America our manufactures, by means of precautions taken in time, will rise out of their state of languor; and that, by delaying longer to satisfy the wishes of the nation, her leaders will draw upon them the reproach of having neglected and rejected the favorable offers of Providence; that, on the contrary, by adopting these measures, the essential interests of this unfortunate people will be taken to heart.

The subscriber declaring, moreover, that he will abandon this unpardonable negligence of an opportunity favorable to the republic to the account of those whom it may concern; protesting against all the fatal consequences that a longer refusal of these necessary measures will certainly occasion. Whereupon he demanded that for his discharge this note should be inserted in the registers of the Quarter.

R. I. VAN DER CAPELLAN.”

This advice having been read, Jacob Adolf de Heeckeren d'Enghuizen, counsellor and first master of accounts in Guelderland, president at this time of the assembly of the Quarter, represented to the said Robert Jasper Van der Capellan de Marsch “that, although he must agree to the justice of all that he had laid down, besides several other reasons, equally strong, which occurred to his mind, the deliberation upon the point in question appeared to him premature; considering that the lords the States of Holland, of West Friesland, and Zealand, as the principal commercial Provinces, who are directly interested, had not, nevertheless, as yet explained themselves in this regard; consequently that it would not be so convenient for the States of this dutchy and county, who are not interested in it, but in a consequential and indirect manner, to form the first their resolutions in this respect.” For this reason he proposed to consideration whether it would not be more proper to postpone the deliberations upon this matter to a future opportunity.

Nevertheless, the before-mentioned Robert Jasper Van der Capellan de Marsch insisting that the voices should be collected upon the proposition and advice in question, and thereupon having deliberated, their noble mightinesses have thought fit to resolve, that although the motives alleged by this nobleman in his advice appears to merit a serious consideration, nevertheless, for the reasons before alleged, they judge that they ought to suspend the decision of it until the commercial Provinces have formed their resolutions concerning it, and that upon the requisition of Robert Jasper Van der Capellan de Marsch there will be delivered to him an extract of the present upon one as well as the other.

HERM. SCHOMAKER.



LEYDEN.

*To the noble, great, and venerable lords of the grand council of the city of Leyden :*

The undersigned, all manufacturers, merchants, and other traders, interested in the manufactures of this city, most respectfully give to understand that it is a truth as melancholy as it is universally known, that the declension of the said manufactures, which all well-disposed citizens have remarked with the most lively grief, from the beginning of this century, has increased more and more for several years; and that this principal branch of the subsistence of the good citizens has fallen into such a state of languor, that our city, once so flourishing, so populous, so celebrated on account of its commerce and of its traders, appears to be threatened with total ruin; that the diminution of its merchant houses, on one hand, and, on the other, the total loss, or the sensible decrease of several branches of commerce, furnish an evident proof of it, which the petitioners could demonstrate by several examples, if there were need of them to convince your noble and grand lordships, to whom the increase of the multitude of the poor, the deplorable situation of several families heretofore in easy circumstances, the depopulation of the city, which we can not observe without emotion, in the ruins of several streets once neat and well inhabited, are fully known, will recollect no doubt upon this occasion with grief that this state of languor must appear so much the more desperate, if your noble and grand lordships will take into consideration that in this decay of trades and manufactures we find a new reason of their further fall, considering that from the time that there is not continual employment and an uninterrupted sale the workmen desert in such a manner, that when considerable commissions arrive we can not find capable hands, and we see ourselves entirely out of a condition to execute these orders.

That the petitioners, with all the true friends of their country, extremely affected with this alarming situation of so rich a source of the public prosperity, have, indeed, sought the means of a remedy in amending some defects from which it seemed to arise at least in part; but that the measures taken in this view, as is well known to your noble and grand lordships, have not had the desired effect; at least, that they have not produced a re-establishment so effectual, that we might have been able to observe a sensible influence in the increase of the sales of the manufactures of Leyden, as appears most evidently by a comparison of the pieces fabricated here, which have been heretofore carried to the divers markets of this city, with those which are carried there at this day; a comparison which a true citizen can not consider without regret.

That experience has also taught the petitioners that the principal cause of the decay of the manufactures of Holland, particularly those of Leyden, is not to be found in any internal vice either in the capacity or the economy of the inhabitants, but in circumstances which have happened abroad, and to which it is consequently beyond the power of the petitioners, or of any citizen whatever to provide a remedy; that we might cite, for example, the commerce of our manufactures with Dantzic, and, through that commercial city, with all Poland; a commerce which was carried on with success and advantage heretofore in our city, but is absolutely interrupted at this day, and vanished by the revolution which has happened in that kingdom, and by the burthensome duties to which the navigation of the Vistula has been subjected, but that, without entering into a detail of similar particular shackles, of which we might reckon a great number, the principal cause of the languishing state of our manufactures consists in the jealous emulation of the neighboring nations, or rather of all the people of Europe, considering that in this age the several princes and governments, enlightened in the real sources of public prosperity and the true interests of their subjects, attach themselves with emulation to revive in their kingdoms and States the national industry, commerce, and navigation; to encourage them and promote them, even by exclusive privileges, or by heavy impositions upon foreign merchandizes, which tend equally to the prejudice of the commerce and manufactures of our country, as your noble and grand lordships will easily recollect the examples in the



Austrian States and elsewhere; that in the midst of these powers and nations, emulous or jealous, it is impossible for the citizens of our republic, however superior their manufactures may be in quality and fineness, to resist a rivalry so universal, especially considering the dearness of labor, caused by that of the means of subsistence, which, in its turn, is a necessary consequence of the taxes and imposts which the inhabitants of this State pay in a greater number and a higher rate than in any other country, by reason of her natural situation and of its means to support itself; so that by the continual operation of this principal but irreparable cause of decline, it is to be feared that the impoverishment and the diminution of the good citizens increasing with want of employment, the Dutch nation, heretofore the purveyor of all Europe, will be obliged to content itself with the sale of its own productions in the interior of the country (and how much does not even this resource suffer by the importation of foreign manufactures?); and that Leyden, lately so rich and flourishing, will furnish in its declining streets, desolated quarters, and its multitude disgraced with want and misery, an affecting proof of the sudden fall of countries formerly overflowing with prosperity.

That, if we duly consider these motives, no citizen whose heart is upright (as the petitioners assure themselves), much less your noble and great mightinesses, whose good dispositions they acknowledge with gratitude, will take it amiss, that we have fixed our eyes, in the present conjuncture of affairs, to inquire, whether these times might not furnish them some means of reviving the languishing manufactures of Leyden; and that, after a consideration well matured, they flatter themselves with a hope (a hope which unprejudiced men will not regard as a vain chimera) that in fact, by the present circumstances, there opens in their favor an issue for arriving at the re-establishment desired.

That from the time when the rupture between Great Britain and the Colonies upon the continent of North America appeared to be irreparable, every attentive spectator of this event perceived, or at least was convinced, that this rupture, by which there was born a republic, as powerful as industrious, in the new world, would have the most important consequences for commerce and navigation, and that the other commercial nations of Europe would soon share in a very considerable commerce, whereof the kingdom of England had reserved to itself, until that time, the exclusive possession by its act of navigation, and by the other acts of parliament prescribed to the Colonies; that in the time of it, this reflection did not escape your petitioners, and that they foresaw from that time the advantage which might arise in the sequel from a revolution so important for the United Provinces in general and for their native city in particular; but they should have been afraid to place this favorable occasion before the eyes of your noble and grand lordships at an epoch when the relations which connected our republic with Great Britain, her neighbors, seemed to forbid all measures of this nature, or at least ought to make them be considered as out of season.

That, in the mean time, this reason for silence has entirely ceased by the hostilities which the said kingdom has commenced against our republic, under pretenses and in a manner the injustice of which has been demonstrated by the supreme government of the State with an irrefragable evidence in the eyes of impartial Europe; whilst the petitioners themselves, by the illegal capture of so large a number of Dutch ships, and afterwards by the absolute stagnation of navigation, and of voyages to foreign countries, have experienced in the most grievous manner the consequences of this hostile and unforeseen attack, and feel them still every day, as is abundantly known to your noble and grand lordships; that, since that epoch, a still more considerable number of workmen must have remained without employment, and that several fathers of families have quitted the city, abandoning to the further expense of the treasury of the poor their wives and their children, plunged in misery.

That during this rupture, which has subsisted now for fifteen months, there has occurred another circumstance which has encouraged the petitioners still more, and

which to them appears to be of such a nature that they would be guilty of an excessive indifference and an unpardonable negligence towards the city, towards the lower class of inhabitants, towards their own families, and towards themselves, if they should delay any longer to lay open their interests to your noble and grand lordships, in a manner the most respectful, but the most energetic, to wit, that the United States of America have very rigorously forbid, by a resolution of Congress, agreed to in all the thirteen States, the importation of all English manufactures, and, in general, all the merchandizes fabricated in the dominions which yet remain to Great Britain; that the effect of this prohibition must necessarily be a spirit of emulation between all the commercial nations, to take place of the British merchants and manufacturers in this important branch of exportation, which is entirely cut off from them at this day; that, nevertheless, among all the nations there is none which can entertain a hope better founded and more sure in this respect than the citizens of this free republic, whether on account of the identity of religion, the fashion of living, the manners; whether because of the extent of its commerce and the convenience of its navigation, but, above all, by the reason of the activity and the good faith, which still at this day distinguishes (without boasting too much) the Dutch nation above all other people—qualities, in consideration of which the citizens of United America are inclined, even at present, to prefer, in equal circumstances, the citizens of our free States to every other nation.

That, nevertheless, all relations and connexions of commerce between the two people can not but be uncertain and fluctuating, as long as their offers and reciprocal engagements are not fixed and regulated by a treaty of commerce; that, at this day, if ever (according to the respectful opinion of the petitioners), there exists a necessity the most absolute for the conclusion of a similar treaty of commerce there, where we may say with truth that there arises for the republic, for our Leyden especially, a moment which, once escaped, perhaps never will return; since the national assembly of Great Britain, convinced by a terrible and fatal experience of the absolute impossibility of reattaching United America to the British crown, has laid before the throne its desire to conclude a necessary peace with a people free at this day at the price of their blood, so that, if this peace should be once concluded, the Dutch nation would see itself perhaps excluded from all advantages of commerce with this new republic; or, at least, would be treated by her with an indifference which the small value which we should have put upon its friendship in former times would seem to merit.

That, supposing for a moment a peace between England and United America were not so near as we have reason to presume, not without probability, there would be found in that case nations enough who will be jealous of acquiring, after the example of France, the earliest right to commerce with a country which, already peopled by several millions of inhabitants, augments every day in population in a manner incredible; but, as a new people, unprovided as yet with several necessary articles, will procure a rich, even an immense outlet for the fabrics and manufactures of Europe. That, however manifest the interest which the petitioners and all the citizens of Leyden would have in the conclusion of such a treaty of commerce, they would, however, have made a scruple to lay before the paternal eyes of your noble and grand lordships the utility, or rather the necessity of such a measure in respect to them, if they could believe that their particular advantage would be in anywise contrary to the more universal interests of all the republic; but, as far as the petitioners may judge, as citizens, of the situation and the political existence of their country, they are ignorant of any reasons of this kind; but, on the contrary, they dare appeal to the unanimous voice of their fellow citizens, well intentioned in the other cities and provinces, even of the regents of the most distinguished, since it is universally known that the Province of Friesland has already preceded the other confederates, by a resolution for opening negotiations with America; and that in other Provinces which have an interest less direct in commerce and manufactures,

celebrated regents appear to wait merely for the example of the commercial Provinces for taking a similar resolution.

That the petitioners will not detain the attention of your noble and grand mightinesses by a more ample detail of the reasons and motives, since, on one hand, they assure themselves that these reasons and motives will not escape the enlightened and attentive judgment of your noble and grand lordships; and on the other, they know by experience that your noble and grand lordships are disposed not to suffer any occasion to pass for promoting the well-being of their city, for advancing the prosperity of the citizens, to render their names dear to their contemporaries, and make them blessed by posterity.

In which firm expectation the petitioners address themselves to this grand council, with the respectful but serious request that it may please your noble and grand lordships to direct, by their powerful influence, things in such sort, that in the assembly highly respected of their noble and grand mightinesses the lords the States of Holland and West Friesland, there be opened deliberations, or if already opened, carried as speedily as possible to an effectual conclusion, such as they shall find the most proper for obtaining the lawful end and fulfilling the desires of the petitioners, or as they shall judge conformable to the general interest.

AMSTERDAM.

*To their high mightinesses the States-General of the United Provinces :*

The undersigned merchants, manufacturers, and other inhabitants living by commerce in this country, give respectfully to understand—

That although the petitioners have always relied with entire confidence upon the administration and the resolutions of your high mightinesses, and it is against their inclinations to interrupt your important deliberations, they think, however, that they ought at this time to take the liberty, and believe, as well-intentioned inhabitants, that it is their indispensable duty in the present moment, which is most critical for the republic, to lay humbly before your high mightinesses their interests.

What good citizen in the republic, having at heart the interest of his dear country, can dissemble or represent to himself without dismay the sad situation to which we are reduced by the attack, equally sudden, unjust, and perfidious, of the English? Who would have dared two years ago to foretell, and, notwithstanding the dark clouds, which even then began to form themselves, could even have imagined, that our commerce and our navigation, with the immense affairs which depend upon it, the support and the prosperity of this republic, could have fallen and remained in such a terrible decay? That, in 1780, more than two thousand of Dutch vessels having passed the Sound, not one was found upon the list in 1781? That the ocean, heretofore covered with our vessels, shall see at present scarcely any, and that we may be reduced to see our navigation, formerly so much respected and preferred by all the nations, pass entirely into the hands of other powers?

It would be superfluous to endeavor to explain at length the damages, the enormous losses, which our inhabitants experienced by the sudden invasion and pillage of the colonies, and of their ships; disasters which not only fall directly upon the merchant but which have also a general influence and make themselves felt in the most melancholy manner, even upon the lowest artisans and laborers, by the languor which they occasion in commerce. But how great soever they may be, it might perhaps be possible, by the aid of the paternal cares of your high mightinesses and by opposing a vigorous resistance to the enemy, already enervated, to repair in time all the losses (without mentioning indemnifications) if this stagnation of commerce was only momentary, and if the industrious merchant did not see beforehand the sources of his future felicity dried up. It is this gloomy foresight which in this moment afflicts in the highest degree the petitioners; for it would be the height of folly and inconsideration to desire still to flatter ourselves and to remain quiet in the expectation that after the conclusion of the peace, the business at present turned out of its direc-

tion should return entirely into this country, for experience shows the contrary, in a manner the most convincing, and it is most probable that the same nations, who are actually in possession of it will preserve at that time the greatest part of it. The petitioners, terrified, throw their eyes round everywhere to discover new sources capable of procuring them more success in future; they even flatter themselves that they have found them upon the new theatre of commerce which the United States of America offer them, a commerce of which in this moment, but in this moment only, they believe themselves to be in a condition to be able to assure to themselves a good share, and the great importance of which, joined to the fear of seeing escape from their hands this only and last resource, has induced them to take the resolution to lay open respectfully their observations concerning this important object to your high mightinesses, with the earnest prayer that you would consider them with a serious attention and not interpret in ill part this measure of the petitioners, especially as their future well-being, perhaps even that of the whole republic, depends on the decision of this affair.

No man can call in question that England has derived her greatest forces from her commerce with America. Those immense treasures which that commerce has thrown into the coffers of the state, the uncommon prosperity of several of her commercial houses, the extreme reputation of her manufactures, the consumption of which, in quantities beyond all bounds, contributes efficaciously to their perfection, are convincing proofs of it. However it may be, and notwithstanding the supposition too lightly adopted that we can not imitate the British manufactures, the manufacture of painted linens of Rouen, those of wood of Amiens, of Germany, of Overysse, the pins of Zwoll, prove visibly that all things need not be drawn from England; that, moreover, we are as well in condition, or shall be soon, to equal them in several respects.

Permit us, high and mighty lords, to the end to avoid all further digression, to request in this regard the attention of your high mightinesses to the situation of commerce in France at the beginning of the war. Continual losses had almost ruined it altogether, like ours; several of her merchants failed of capitals, and others wanted courage to continue their commerce; her manufactures languished; the people groaned; in one word, everything marked out the horrors of war; but at present her maritime towns overpeopled, have occasion to be enlarged; her manufactures, having arrived at a degree of exportation unknown before, begin to perfect themselves more and more, in such a degree that the melancholy consequences of the war are scarcely felt in that kingdom. But since it is incontestable that this favorable alteration results almost entirely from its commerce with America; that even this has taken place in time of war, which, moreover, is ever prejudicial, we leave it to the enlightened judgment of your high mightinesses to decide what it is we may expect from a commerce of this nature even at present, but especially in time of peace.

In the mean time, we have had the happiness to make a trial, of short duration, it is true, but very strong in proportion to its continuance, in our colony of St. Eustatia, of the importance of the commerce, though not direct, with North America. The registers of the West India Company may furnish proofs of it very convincing to your high mightinesses. In fact, their productions are infinitely beneficial to our markets; whilst on our side we have to send them several articles of convenience and of necessity, whether from our country or from the neighboring states of Germany. Moreover, several of our languishing manufactures scattered in the seven United Provinces may perhaps be restored to their former vigor by the means of bounties or the diminution of imposts. The importance of manufactures for a country is sufficiently proved by the considerable gratifications promised and paid by British policy for the encouragement of manufactures which that kingdom has procured to itself, beyond even what had been expected.

The petitioners know perfectly well the obstacles, almost insurmountable, which always oppose themselves to the habitual use of new manufactures, although cer-

tainly better in quality, and they dare advance, without hesitation, that several of our manufactures are superior to those of the English. And for this end a moment more favorable can never offer itself than the present, when, by a resolution of Congress the importation of all the effects of the produce of Great Britain and of her colonies is forbidden, which reduces the merchant and purchaser to the necessity of recurring to other merchandizes, the use of which will serve to dissipate the prejudice conceived against them. It is not only the manufactures, high and mighty lords, which promise a permanent advantage to our republic; the navigation will derive also great advantages, for it is very far from being true (as several would maintain) that the Americans, being once in the tranquil possession of their independence, would exercise themselves with vigor in these two branches, and that in the sequel we shall be wholly frustrated of them. Whoever has the least knowledge of the country of America and of its vast extent knows that the number of inhabitants is not there in proportion; that the two banks of the Mississippi, even the most beautiful tract of this country, otherwise so fertile, remain still uncultivated; and as there are wanted so many hands, it is not at all probable to presume that they will or can occupy themselves to establish new manufactures, both in consequence of the new charges which are thereto attached, and because of the shackles which they would put upon the augmentation and exportation of their productions.

It is, then, for this same reason (the want of population) that they will scarcely find the hands necessary to take advantage of the fisheries which are the property of their own country, which will certainly oblige them to abandon to us the navigation of freight. There is not, therefore, any one of our provinces, much less any one of our cities, which cannot enjoy the advantage of this commerce. No, high and mighty lords, the petitioners are persuaded that the utility and the benefit of it will spread itself over all the provinces and countries of the Generality. Guelderland and Overysseel can not too much extend their manufactures of wool, of mouleton, and other things; even the shoemakers of La Marie and of Lang Straat will find a considerable opening; almost all the manufacturers of Utrecht and those of Leyden will flourish anew; Haerlem will see revive its manufactures of stuffs, of laces, of ribbands, of twist (*de cordons*), at present in the lowest state of decay; Delft will see vastly augmented the sale of its (*porcelaine*) earthenware, and Gouda that of its tobacco pipes.

However great may be the advantages foreseen by the petitioners from a legal commerce duly protected with America, their fear is not less, lest we should suffer to escape the happy moment of assuring to themselves and to all the republic these advantages. The present moment would determine the whole. The English nation is weary of the war; and, as that people run easily into extremes, the petitioners are afraid, with strong probable appearances, that a complete acknowledgment of independence will soon take place; above all, if the English see an opportunity of being able still to draw from America some conditions favorable for them, or, at least something to our disadvantage. Ah! what is it which should instigate the Americans, in making peace and renewing friendship with Great Britain, to have any regard for the interests of our republic? If England could only obtain for a condition that we should be obliged to pay duties more burthensome for our vessels, this would not be only a continual and permanent prejudice, this would be sufficient to transmit to posterity a lamentable proof of our excessive deference for unbridled enemies.

The petitioners dare flatter themselves that a measure so frank in this republic may powerfully serve for the acceleration of a general peace. A general ardor to extinguish the flames of war reigns in England; an upright and vigorous conduct on the part of this republic will contribute to accelerate the accomplishment of the wishes for peace.

We flatter ourselves, high and mighty lords, that we have in this regard alleged sufficient reasons for immediate decision, and that we have so visibly proved the danger of delay, that we dare to hope, from the paternal equity of your high mighti-



nesses, a reasonable attention to the respectful proposition which we have made. It proceeds from no other motive than a sincere affection for the precious interests of our dear country, since we consider it as certain that as soon as the step taken by us shall be known by the English, and that they shall have the least hope of preventing us, they will not fail, as soon as possible, to acknowledge American independence. Supported by all these reasons, the petitioners address themselves to your high mightinesses, numbly requesting that it may please your high mightinesses, after the occurrences and affairs above mentioned, to take for the greatest advantage of this country, as soon as possible, such resolution as your high mightinesses shall judge most convenient.

PETITION TO THE RURGOMASTERS AND REGENTS OF AMSTERDAM.

The subscribers, all merchants and manufacturers of this city, with all due respect, give to understand that the difference arisen between the kingdom of Great Britain and the United States of America has not only given occasion for a long and violent war, but that the arms of America have covered themselves with a success so happy that the Congress, assisted by the courts of France and Spain, have so well established their liberty and independence, and reduced Great Britain to extremities so critical, that the House of Commons in England, notwithstanding all the opposition of the British ministry, have lately formed the important resolution to turn the king from an offensive war against America, with no other design than to accelerate, if it is possible, a reconciliation with America.

That to this happy revolution in the dispositions of the English in favor of the liberty and independence of America, according to all appearances, the resolution taken by Congress towards the end of the last year, to wit, to forbid in all America the importation of British manufactures and productions, has greatly contributed; a resolution of which they perceive in England, too visibly, the consequences ruinous to their manufactures, trades, commerce, and navigation, to be able to remain indifferent in this regard; for all other commercial nations, who take to heart ever so little of their own prosperity, will apply themselves ardently to collect from it all the fruit possible. To this effect it would be unpardonable for the business and commerce of this republic in general, and for those of this city in particular, to suffer to escape this occasion, so favorable for the encouragement of our manufactures so declined and languishing in the interior cities, as well as that of the commerce and of navigation in the maritime cities; or to suffer that other commercial nations, even with a total exclusion of the mercantile interests of this republic, should profit of it, and this upon an occasion when, by reason of the war, equally unjust and ruinous, in which the kingdom of Great Britain has involved this republic, we can not and ought not to have the least regard or condescension for that jealous state, being able to oblige this arrogant neighbor in the just fear of the consequences which a more intimate connexion between this republic and North America would undoubtedly have to lay down the sooner her arms, and restore tranquility to all Europe.

That the petitioners, notwithstanding the inclination they have for it, ought not, nevertheless, to explain themselves further upon this object, nor make a demonstration in detail of the important advantages which this republic may procure itself by a connexion and a relation more intimate with North America, both because no well-informed man can easily call the thing in question, but also because the States of Friesland themselves have very lately explained themselves in a manner so remarkable in this respect; and which is still more remarkable because in very different circumstances, with a foresight which posterity will celebrate by so much the more as it is attacked in our time by ill-designing citizens, the gentlemen your predecessors thought, four years ago, upon the means of hindering this republic from being excluded from the business of the new world, and falling into the disagreeable situation in which the kingdom of Portugal is at present; considering that according to the information of your petitioners, the Congress has excluded that kingdom from all.



commerce and business with North America solely because it had perceived that it suffered itself to be too strongly directed by the influence of the British court. But this example makes us fear, with reason, that if the propositions made in the name of America by Mr. Adams to this republic should remain as they still are, without an answer, or if, contrary to all expectation, they should be rejected, in that case the republic ought not to expect a better treatment.

That for these reasons and many others, the petitioners had flattered themselves that we should long ago have opened negotiations and a closer correspondence with the United States of America, but that this important work appeared to meet with difficulties with some as incompatible with the accession of this republic to the armed neutrality, and in course with the accepted mediation; whilst others can not be persuaded to make this so necessary step, in the opinion that we can not draw any advantage, or at least of much importance, from a more strict connexion with America; reasons, according to the petitioners, the frivolity of which is apparent to everyone who is not filled with prejudice, without having occasion to employ many words to point it out; for as to the first point, supposing for a moment that it might be made a question whether the republic, after her accession to the armed neutrality before the war with England, could take a step of this nature without renouncing at the same time the advantages of the armed neutrality which it had embraced, it is at least very certain that every difficulty concerning the competency of the republic to take a similar step, vanishes and disappears of itself at present when it finds itself involved in a war with Great Britain, since from that moment she could not only demand the assistance and succor of all the confederates in the armed neutrality, but that thereby she finds herself authorised for her own defence to employ all sorts of means, violent and others, which she could not before adopt and put in use while she was in the position of a neutral power which would profit of the advantages of the armed neutrality.

This reasoning, then, proves evidently that in the present situation of affairs the republic might acknowledge the independence of North America, and, notwithstanding this, claim of full right the assistance of her neutral allies, at least if we would not maintain one of the following absurdities: That notwithstanding the violent aggression of England in resentment of our accession to the armed neutrality, we dare not defend ourselves until our confederates should think proper to come to our assistance; or otherwise, that being attacked by the English, it should be permitted us, conformably to the rights of the armed neutrality, to resist them in arms, either on the Doggerbank or elsewhere, but not by contracting alliances; which certainly do no injury or harm to the convention of the armed neutrality, notwithstanding even the small hope we have of being succored by the allies of the armed confederation.

The argument of the mediation is still more contrary to common sense in this—that it supposes the republic, by accepting the mediation, to have also renounced the employment of all the means, by way of arms, of alliances, or otherwise, which it must judge useful or necessary to annoy her enemy; a supposition which certainly is destitute of all foundation, and which would reduce itself simply to a real suspension of hostilities on the part of the republic only; to which the republic can never have consented, neither directly nor indirectly. Besides this last argument, the petitioners must still observe, in the first place, that by means of a good harmony and friendship with the United States of America, there will spring up, not only different sources of business for this republic, founded solely on commerce and navigation, but in particular the manufactures and trade will assume a new activity in the interior cities, for they may consume the amount of millions of our manufactures in that new country of so vast extent. In the second place, abstracted from all interests of commerce, the friendship or the cunity of a nation which, after having made prisoners of two English armies, has known how to render herself respectable and formidable, if it were only in relation to the western possessions of this state, is not, and can not be, in any manner indifferent for our republic.

In the last place, it is necessary that the petitioners remark further in this respect, that several inhabitants of this republic, in the present situation of affairs, suffer very considerable losses and damages which might be wholly prevented, or in part, at least, hereafter, in case we should make with the United States of America, in relation to vessels and effects recaptured, a convention similar to that which has been made with the crown of France the last year; for, venerable regents, if a convention of this nature had been contracted in the beginning of this war the inhabitants of the republic would have already derived important advantages from it, considering that several ships and cargoes, taken by the English from the inhabitants of this State, have fallen into the hands of the Americans—among others, two vessels from the West Indies richly loaded, and making sail for the ports of the republic, and both estimated at more than a million of florins of Holland; which, captured by the English at the commencement of the year past, were carried into North America, where, after the capitulation of General Cornwallis, they passed from the hands of the English into others. That although the petitioners are fully convinced that the interests of the commerce of this common country, and of this city, have constantly, but especially in these last years, attracted, and still attract every day, a great part of the cares of the venerable regency; nevertheless, having regard to the importance of the affair, the petitioners have thought that they could, and that they ought to take the liberty to address themselves with this petition to you, venerable regents, and to inform you, according to truth, that the moments are precious; that we can not lose any time, how little soever it may be, without running the greatest risk of losing all; since by hesitating longer the republic, according to all appearances, would not derive any advantage, not even more than it has derived from its accession to the armed neutrality, because in the fear of British menaces we did not determine to accede to it until the opportunity of improving the advantage of it was passed.

For these causes the petitioners address themselves to you, venerable regents, respectfully soliciting that your efficacious influence may condescend, at the assembly of their noble and grand mightinesses, the States of this Province, to direct affairs in such a manner that upon this important object there may be taken as soon as possible, and, if possible, even during the continuance of this assembly, a final and decisive resolution, such as you, venerable regents, and their noble and grand mightinesses, according to their high wisdom, shall judge the most convenient; and if, contrary to all expectation, this important operation may meet with any obstacle on the part of one or more of the confederates, that, in that case, you, venerable regents, in concert with the Province of Friesland, and those of the other Provinces who make no difficulty, to open a negociation with America, will condescend to consider the means which shall be found proper and convenient to effectuate that the commerce of this Province, as well as that of Friesland, and the other members adopting the same opinion, may not be prejudiced by any dilatory deliberations nor too late resolved for the conclusion of a measure as important as necessary.

ROTTERDAM.

The petition of the merchants, insurers, and freighters of Rotterdam to the regency of that city, gives to understand, in the most respectful manner, that it is sufficiently notorious that the inhabitants of this republic have, as well as any other nation, an interest, that they give us an opportunity to open a free correspondence with the inhabitants of America, by making a treaty of commerce, as Mr. Adams has represented in his memorial; to which they add, that the advantages which must result from it are absolutely the only means of reviving the fallen commerce of this country, for reëstablishing the navigation, and for repairing the great damages which the perfidious proceedings of the English have, for so many years, caused to the commercial part of this country.

That, with all due respect, they represent to the venerable regency the danger we run in prolonging further the deliberations concerning the article of an alliance of

commerce with North America; being, moreover, certain that the interposition of this State can not add any thing more to the solidity of its independence; and that the English ministry have even made to the deputies of the American Congress propositions to what point they would establish a correspondence there to our prejudice, and thereby deprive the inhabitants of this country of the certain advantages which might result from this reciprocal commerce; and that thus we ought not to delay one day, nor even one hour, to try all efforts, that we may pursue the negotiation offered by Mr. Adams, and that we may decide finally upon it.

Whereupon, the petitioners represent, with all the respect possible, but at the same time with the strongest confidence, to the venerable regency of this city, that they would authorize and qualify the gentlemen their deputies at the assembly of their noble and great mightinesses, to the end that, in the name of this city, they insist, in a manner the most energetic, at the assembly of their noble and great mightinesses, that the resolution demanded may be taken without the least delay, to the end that, on the part of this Province, it be effected at the assembly of the States-General, that the American minister, Mr. Adams, be, as soon as possible, admitted to the audience which he has demanded, and that they take with him the determinations necessary to render free and open to the reciprocal inhabitants the correspondence demanded.

The petitions of the merchants and manufacturers of Haerlem, Leyden, and Amsterdam, which have been presented on the 20th of March to their high mightinesses, were accompanied by another for the States of Holland and West Friesland, conceived in these terms:

The subscribers, inhabitants of this country, merchants, manufacturers, and others living by commerce, give, with all respect, to understand that they, the petitioners, have the honor to annex hereto a copy of a petition presented by them to their high mightinesses the States-General of the United Low Countries. The importance of the thing which it contains, the considerable commerce which these countries might establish in North America, the profits which we might draw from it, and the importance of industry and manufactures in the relations which they have with commerce in general, as well as the commerce of that extensive country—all these objects have made them take the liberty to represent, in the most respectful manner, this great affair for them, and for the connexions which the petitioners may have in quality of manufacturers with the merchants, most humbly praying your noble and grand mightinesses, for the acquisition of those important branches of commerce, and for the advantage of all the manufactures and other works of labor and traffic, to be so good as to take this petition and the reasons which it contains into your high consideration, and to favor it with your powerful support and protection, and by a favorable resolution, which may be taken at the assembly of their high mightinesses, to direct, on the part of this Province, things in such a manner that for obtaining this commerce, so desired and so necessary for this republic, there be concerted such efficacious measures as the high wisdom and patriotic sentiments of your noble and grand mightinesses may find convenient for the well-being of so great a number of inhabitants and for the prejudice of their enemies.

DORT.

At Dort there has not been presented any petition; but in a letter written from that city on the 20th of March, it is observed—

That the merchants, convinced by redoubled proofs of the zeal and of the efforts of their regency for the true interests of commerce, had judged it unnecessary to present a petition, after the example of the merchants of other cities; that they had contented themselves with testifying verbally their desire that there might be contracted connexions of commerce with the United States of America; that this step had been crowned with such happy success that the same day, the 20th of March, it was

resolved by the ancient council to authorize their deputies at the assembly of Holland to concur in every manner possible that, without delay, Mr. Adams be acknowledged in his quality of minister plenipotentiary; that his letters of credence be accepted and conferences opened upon this object.

**Resolution of their noble and grand mightinesses the lords the States of Holland and West Friesland, March 29th, 1782 :**

It has been judged fit and resolved that the affair be directed on the part of their noble and grand mightinesses at the Generality to such an end, and that they there insist in the strongest manner that Mr. Adams be admitted and acknowledged, as soon as possible, by their high mightinesses as the ambassador of the United States of America; and the counsellor pensionary is charged to give knowledge, under hand, to the said Mr. Adams of this resolution of their noble and grand mightinesses.

ZWOLL, IN OVERYSSEL.

The subscribers, all merchants, manufacturers, and factors of the city of Zwoll, give respectfully to understand that every one of them in his private concerns finds by experience, as well as the inhabitants of the republic in general, the grievous effects of the decay into which the commerce and the manufactures of this country are fallen by little and little, and, above all, since the hostile attack of the kingdom of England against this state; that it being their duty to their country, as well as to themselves, to make use of all the circumstances which might contribute to their re-establishment, the requisition made not long since by Mr. Adams to the republic, to wit, to conclude a treaty of commerce with the United States of North America, could not escape their attention, an affair whose utility, advantage, and necessity for these Provinces are so evident and so often proved in an incontestable manner that the petitioners will not fatigue your noble lordships by placing them before you, nor the general interests of this city, nor the particular relations of the petitioners, considering that they are convinced in the first place that England making against the republic the most ruinous war, and having broken every treaty with her, all kind of complaisance for that kingdom is unreasonable.

In the second place, that America, which ought to be considered as become free at the point of the sword, being willing by the prohibition of all the productions and manufactures of England to break absolutely with that kingdom, it is precisely the time, and perhaps the only time, in which we may have a favorable opportunity to enter into connexion with this new and powerful Republic, a time which we can not neglect without running the greatest risk of being irrevocably prevented by the other powers, and even by England. Thus we take the liberty respectfully to supplicate your noble lordships that having shown for a long time that you set a value upon the formation of alliances with powerful States, you may have the goodness at the approaching assembly of the nobility and of the cities forming the States of this Province to redouble your efforts to the end that, in the name of this country, it may be decided at the Generality that Mr. Adams be acknowledged, and the proposed negotiations opened as soon as possible.

AMSTERDAM.

REQUEST OF THE MERCHANTS, ETC., TO THEIR REGENCY.

**NOBLE, GREAT, AND VENERABLE LORDS :** It is for us a particular satisfaction to be able to offer to your noble and great lordships, as heads of the regency of this city, this well-intentioned request, that a multitude of our most respectable fellow citizens have signed. It was already ready and signed by many when we learnt, as well by the public papers as otherwise, the propositions of a particular peace, with an offer of an immediate suspension of hostilities on the part of Great Britain, made to this state by the mediation of the Russian ambassador. This is the only reason why no

immediate mention was made of it in the address itself; it is by no means the idea that these offers would have made any impression upon the merchants, since we can, on the contrary, in truth assure your noble and great lordships that the unanimous sentiment nearly of the exchange of Amsterdam, at least as much as that interests it, is entirely conformable to that which the merchants of Rotterdam have made known in so energetic a manner. That we have consequently the greatest aversion to like offers, as artful as dangerous, which being adopted would very probably throw this republic into other situations very embarrassing, the immediate consequences of which would be to ruin it utterly; whereas on the other hand, these offers show that we have only to deal with an enemy exhausted, that we could force to a general and durable peace in the end, by following only the example of France, Spain, and North America, and by using the means which are in our own hands.

It is improper for us, however, to enlarge further upon this project, important as it may be, being well assured that your noble and grand lordships see those grievous consequences more clearly than we can trace them.

The merchants continue to recommend the commerce and the navigation to the constant care and protection of your noble and great lordships, and to insist only, that in case that these offers of the court of England should be at any time the cause that the affair of the admission of Mr. Adams, in quality of minister plenipotentiary of the United of North America, met with any difficulty or delay on the part of the other confederates, that your noble and great lordships, according to the second article of our requisition inserted in this request, would have the goodness to think upon measures which would warrant this province from the ruinous consequences of such a proceeding.

To this request was joined the address presented to the burgomasters and to the council, which is of the following tenor:

NOBLE, GREAT, VENERABLE, AND NOBLE AND VENERABLE LORDS: The undersigned, merchants, citizens, and inhabitants of the city of Amsterdam, have learnt, with an inexpressible joy, the news of the resolution taken the 28th of March last, by their noble and grand mightinesses, the lords the States of Holland and West Friesland. Their noble and grand mightinesses have thereby not only satisfied the general wishes of the greatest and best part of the inhabitants of this Province, but they have laid the foundations of ulterior alliances and correspondences of friendship and of good understanding with the United States of North America, which promise new life to the languishing state of our commerce, of our navigation, and of our manufactures.

The unanimity with which the resolution was decided in the assembly of Holland gives us a well-founded hope that the States of the other Provinces will not delay to take a similar resolution; whilst that the same unanimity fills with the most lively satisfaction the well-intentioned inhabitants of this city and, without doubt, those of the whole country, in convincing them fully that the union among the sage and venerable fathers of the country increases more and more; whilst that the promptness and activity with which it has been concluded makes us hope with reason that we shall reap in time from a step so important and so necessary for this republic the desired fruits. Who then can call in question or disavow that the moment seems to approach nearer and nearer when this republic shall enter into new relations with a people which finds itself in circumstances which differ but little from those in which our ancestors found themselves two centuries ago, with a people which conciliates more and more general affection and esteem?

The conformity of religion and government which is found between us and America, joined to the indubitable marks that she has already long since given of the preference that she feels for our friendship, makes the undersigned not only suppose, but inspires them with a confidence even that our connexions with her will be as solid as advantageous and salutary to the interests of the two nations. The well-being and



the prosperity which will very probably result from them; the part which you, noble, great, venerable, and noble and venerable lords, have had in the conclusion of a resolution so remarkable; the conviction that the venerable council of this city already had of it, upon the proposition of the noble, great, and venerable lords, almost consented to before the request relative to this project presented not long since to you, noble, great, and venerable lords, had come to the knowledge of the council; finally the remembrance of that which was done upon this matter in the year 1778, with the best intentions and most laudable views, finding itself at present crowned with an approbation as public as general, indispensably oblige the undersigned to approach you, noble, great, venerable, and noble and venerable lords, with this address, not only to congratulate them upon so remarkable an event, but to thank them at the same time, with as much zeal as solemnity, for all those well-intentioned cares and those well-concerted measures, for that inflexible attachment and that faithful adherence to the true interest of the country in general, and of this city in particular, which manifest themselves in so striking a manner in all the proceedings and resolutions of your noble, great, and venerable lordships, and of the venerable council of this city, and which certainly will attract the esteem and veneration of the latest posterity, when, comparing the annals and events of the present with those of former times, it shall discover that Amsterdam might still boast itself of possessing patriots who dare sacrifice generously all views of private interest, of grandeur, and of consideration, to the sacred obligations that their country requires of them.

We flatter ourselves, noble, great, and venerable, noble and venerable lords, that the present public demonstration of our esteem and attachment will be so much the more agreeable, as it is more rare in our republic, and perhaps even it is without example; and as it is more proper to efface all the odious impressions that the calumny and malignity of the English ministry, not long ago so servilely adored by many, but whose downfall is at present consummated, had endeavored to spread, particularly a little before and at the beginning of this war—insinuations which have since found partizans in the United Provinces among those who have not been ashamed to paint the exchange of Amsterdam (that is to say, the most respectable and the most useful part of the citizens of this city, and at the same time the principal support of the well being of the United Provinces), as if it consisted, in a great part, of a contemptible herd of vile interested souls, having no other object than to give loose to their avidity and to their desire of amassing treasures, in defrauding the public revenues, and in transporting contraband articles against the faith of treaties; calumniators, who have had at the same time, and have still the audacity to affront the most upright regency of the most considerable city of the republic, and to expose it to public contempt, as if it participated, by connivance and other ways, in so shameful a commerce; insinuations and accusations, which have been spread with as much falsehood as wickedness, and which ought to excite so much the more the indignation of every sensible heart, when one considers with all this, that not only the merchants of this city, but also those of the whole republic, have so inviolably respected the faith of treaties, that, to the astonishment of every impartial man, one can not produce any proofs, at least no sufficient proofs, that there has ever been transported from this country contraband merchandizes; whilst that the conjuncture in which imputations of this kind have been spread, rendered a like proceeding still more odious, seeing that one has done it at an epoch when the commerce and navigation of Amsterdam, and of the whole republic, would have experienced the first and almost the only attack of an unjust and perfidious ally, for want of necessary protection upon which you, noble, great, venerable, and noble and venerable lords, have so often and so seriously insisted, even before the commencement of the troubles between Great Britain and the United States of North America; at an epoch when the merchant, formed for enterprises, was obliged to see the fruit of his labor and of his cares, the recompense of his indefatigable industry, and the patrimony destined to his posterity, ravaged from his hands by foreign violence, and unbounded rapacity; at an epoch, finally, when the wise and prudent politicians, who had exhausted them-



selves, and spared no pains for the public good, saw their patriotic views dissipate, and their projects vanish.

Receive, then, noble, great, and venerable, noble and venerable lords, this solemn testimony of our lively gratitude, as graciously as it is sincere on our part; receive it as a proof of our attachment to your persons—an attachment which is not founded upon fear, nor an exterior representation of authority and grandeur, but which is founded upon more noble and immovable principles, those of esteem and respect, arising from a sentiment of true greatness and of generosity. Be assured that when contemptible discord, with its odious attendants, artifice and imposture, could effectuate nothing, absolutely nothing, at the moment when the present war broke out, to prejudice in the least the fidelity of the citizens of the Amstel, or to shake them in the observation of their duties, the inconveniences and the evils that a war naturally and necessarily draws after it, will not produce the effect neither; yes, we will submit more willingly to them, accordingly as we shall perceive that the means that God and nature have put into our hands are more and more employed to reduce and humble a haughty enemy. Continue, then, noble, great, and venerable, noble and venerable lords, to proceed with safety in the road you follow, the only one which, in our opinion, can, under divine benediction, tend to save the country from its present situation. Let nothing divert or intimidate you from it; you have already surmounted the greatest difficulties and most poignant cares. A more pleasing perspective already opens.

Great Britain, not long since so proud of its forces that she feared not to declare war against an ancient and faithful ally, already repents of that unjust and rash proceeding; and succumbing under the weight of a war, which becomes more and more burdensome, she sighs after peace, whilst the harmony among the members of the supreme government of this country increases with our arms, according as your political system, whose necessity and salutary influence were heretofore less acknowledged, gains every day more numerous imitators. The resolution lately taken by the states of Friesland, and so unanimously adopted by our Province, furnishes, among many others, one incontestable proof of it, whilst that the naval combat, delivered last year on the Doggersbank, has shown to astonished Europe that so long a peace has not made the republic forget the management of arms, but that, on the contrary, it nourishes in its bosom warriors who tread in the footsteps of the Trompts and Ruyters, from whose prudence and intrepidity, after a beginning so glorious, we may promise ourselves the most heroic actions; that their invincible courage, little affected with an evident superiority, will procure one day to our country an honorable and permanent peace, which, in eternizing their military glory, will cause the wise policy of your noble, great, and venerable, noble and venerable lordships to be blessed by the latest posterity.

LEYDEN.

*To the noble, great, and venerable lords the great council of the city of Leyden :*

The undersigned, manufacturers, merchants, and other traders, interested in the manufactures and fabrics of this city, give respectfully to understand that a number of the undersigned, having taken, on the 18th of March, the liberty to present to your noble and great lordships a respectful request “to obtain the conclusion of connexions of commerce with United America,” the petitioners judge that they ought to hold it for a duty, as agreeable as indispensable, to testify their sincere gratitude, not only for the gracious manner in which your noble and great lordships have been pleased to accept that request, but also for the patriotic resolution that your noble and great lordships have taken upon its object; a resolution in virtue of which the city of Leyden (as the petitioners have the best reasons to suppose) has been one of the first cities of this Province, from whose unanimous coöperation has originated the resolution of their noble and grand mightinesses, of the date of the 28th of March last, “to direct things on the part of their noble and grand mightinesses in the assembly of the States-General, and to make there the strongest instances, to the end

that Mr. Adams may be admitted and acknowledged, as soon as possible, by their high mightinesses, as minister of the United States of America."

That the petitioners regard, with all honest-hearted citizens, the present epoch as one of the most glorious in the annals of our dear country, seeing that there has been manifested in a most singular manner, on one hand, a confidence the most cordial of the good citizens towards their regents; on the other, a paternal attention and deference of the regents to the respectful, but well founded prayers of their faithful citizens, and, in general, the most exemplary unanimity throughout the whole nation, to the confusion of those who, having endeavored to sow the seeds of discord, would have rejoiced if they could say with truth that a dissension so fatal had rooted itself to the ruin of the country and of the people.

That the petitioners, feeling themselves penetrated with the most pleasing emotions by a harmony so universal, can not pass over in silence the reflection that your noble and great lordships, taking a resolution the most favorable upon the said request, have discovered thereby that they would not abandon the footsteps of their ancestors, who found in the united sentiments of magistrates and citizens, the resources necessary to resist a powerful oppressor, who even would not have undertaken that difficult but glorious task, if they had not been supported by the voice of the most respectable part of the nation.

That, encouraged by this reflection, the petitioners assure themselves that your noble and great lordships will honor with the same approbation the step which they take to-day to recommend to your noble and great lordships, in a manner the most respectful, but at the same time the most pressing, the prompt and efficacious execution of the aforesaid resolution of their noble and grand mightinesses of the 28th of March last, with everything which depends thereon, a proceeding which does not spring from a desire on the part of the petitioners to raise themselves above the sphere of their duties and vocations, or to interfere indiscreetly in the affairs of government, but only from a conviction that it can not but be agreeable to well-intentioned regents (such as your noble and grand lordships have shown yourselves, by deeds, to the good citizens) to see themselves applauded in their salutary efforts and patriotic designs, and supported against the perverse views and secret machinations of the ill-disposed, who, however small their number, are always found in a nation.

That although the petitioners may be convinced that their noble and grand mightinesses, having taken a resolution so agreeable to all true patriots, will not neglect to employ means to carry it to an efficacious conclusion among the other confederates, and to procure to the good citizens the real enjoyment of the commerce with United America, they can not, nevertheless, dissemble that lately some new reasons have arisen which make them conceive some fears respecting the prompt consummation of this desirable affair.

That the probability of an offer of peace on the part of Great Britain to United America, whereof the petitioners made mention in their former request, having at present become a full certainty, by the revolution arrived since in the British ministry, they have not learnt without uneasiness the attempt made at the same time by the new ministers of the court of London to involve this state in a negotiation for a separate peace, the immediate consequence of which would be (as the petitioners fear) a cessation of all connexions with the American Republic; whilst that in the meantime our republic, deprived on the one hand of the advantages which it reasonably promises itself from those connexions, might, on the other, be detained by negotiations spun out to a great length, and not effect till late, perhaps after the other belligerent powers, a separate peace with England.

That, in effect, the difficulties which oppose themselves to a like partial pacification are too multiplied for one to promise himself to see them suddenly removed, such as the restitution of the possessions taken from the State, and retaken from the English by France, a restitution which thereby is become impracticable; the indemnification of the immense losses that the unexpected and perfidious attack of England has caused to the Dutch nation in general, to the petitioners in particular; the

**assurance of a free navigation for the future, upon the principles of the armed neutrality, and conformably to the law of nations, the dissolution of the bonds which, without being productive of any utility to the two nations, have been a source of contestations always springing up, and which in every war between Great Britain and any other power have threatened to involve our republic in it, or have in effect done it; the annihilation (if possible) of the act of navigation, an act which carries too evident marks of the supremacy affected by England over all other maritime people, not to attract attention at the approaching negociation of peace; finally, the necessity of breaking the yoke that Great Britain would impose upon our flag to make hers respected in the Northern Ocean, as the seat of her maritime empire; and other objects of this nature, which, as the petulant proceedings of the court of London even have given rise to them, with certainty furnish matter for claims and negociations.**

**That, as by these considerations, even a speedy consummation of a separate peace with England is out of all probability, especially when one compares with them the dubious and limited manner in which it is offered; on the other hand, a general peace appears not to be so far distant as that, to obtain a more prompt reconciliation with England, the republic has occasion to abandon its interests relative to North America, seeing that the British Government has resolved, upon the request of the national assembly, even to discontinue offensive hostilities against the new Republic, and that even under the present administration of the ministers, it appears ready to acknowledge positively its independence—an acknowledgment which, in removing the principal stumbling-block of a negociation of a general peace, will pave the way to a prompt explication of all the difficulties between the belligerent powers.**

**That the petitioners should exceed much the bounds of their plan, if they entered into a more ample detail of the reasons which might be alleged upon this subject, and which certainly will not escape the political penetration of your noble and great lordships, among others the engagements recently entered into with the court of France, and which will not be violated by our republic, which acknowledges the sanctity of its engagements and respects them, but which will serve much rather to convince the Empress of Russia of the impossibility of entering, in the present juncture of affairs, into such a negociation as the court of London proposes, when it will not be permitted to presume but that sovereign will feel herself the change of circumstances which have happened with regard to America since the offer of her mediation by the revolution of the British ministry; and that she ought even to regard a separate peace between our States and England as the most proper mean to retard the general tranquillity that she has endeavored to procure to all the commercial nations now at war.**

**That, from these motives, the petitioners respectfully hope that the aforesaid offer of England will occasion no obstacle which may prevent that the resolution of their noble and grand mightinesses to acknowledge the independence of North America and to conclude with that power a treaty of commerce may not have a prompt execution, nor that even one only of the other confederates will suffer itself to be diverted thereby from the design of opening unanimously with this Province, and the others which have declared themselves conformably to Holland, negociations with the United States, and of terminating them as soon as may be.**

**That the favorable resolutions already taken for this effect in Zealand, Utrecht, Overysse, and at present (as the petitioners learn) in the Province of Groningen, after the example of Holland and Friesland, confirm them in that hope, and seem to render entirely superfluous a request that in every other case the petitioners would have found themselves obliged to make with the commercial citizens of the other cities, to the end that by the resistance of one Province not immediately interested in commerce and navigation they might not be deprived of the advantages and of the protection that the sovereign assembly of their proper Province had been disposed to procure them without that; but that to the end to provide for it, their noble and**

grand mightinesses and the states of the other Provinces, in this respect unanimous with them, should make use of the power which belongs to each free state of our federative republic, at least in regard to treaties of commerce, of which there exists an example in 1649, not only in a treaty of redemption of the toll of the Sound, but also in a defensive treaty concluded with the Crown of Denmark by the three Provinces of Guelderland, Holland, and Friesland.

But as every apprehension of a similar dissension among the members of the confederation appears at present absolutely unseasonable, the petitioners will confine themselves rather to another request, to wit, that after the formation of connexions of commerce with North America, the effectual enjoyment of it may be assured to the commercial citizens of this country by a sufficient protection of the navigation, seeing that without the protection of the navigation the conclusion even of such a treaty of commerce would be absolutely illusory; that since a long time, especially last year, the petitioners have tasted the bitter fruits of the defenceless state in which the Dutch flag has been incessantly found, as they have already said, conformably to the truth in their first request, "that by the total stagnation of the navigation and of expeditions they have felt in the most painful manner the effects of the hostile and unforeseen attack of Great Britain, and that they feel them still every day;" that in the mean time this stagnation of commerce, absolutely abandoned to the rapacity of an enemy greedy of pillage, and destitute of all protection whatsoever, has appeared to the petitioners, as well as to all the other commercial inhabitants—yes, even to all true citizens—so much the more hard and afflicting, as they not only have constantly contributed with a good heart all the public imposts, but that, at the time even that commerce was absolutely abandoned to itself and deprived of all safeguard, it supported a double charge to obtain that protection which it has never enjoyed, seeing that the hope of such a protection (the republic not being entirely without maritime force) has appeared indeed more than once, but has always vanished in the most unexpected manner, by accidents and impediments which, if they have given rise, perhaps wrongfully, to discontent and to distrust among the good citizens will not, nevertheless, be read and meditated by posterity without surprise.

That, without intention to legitimate in any fashion the suspicions arising from this failure of protection, the petitioners believe themselves, nevertheless, with all proper respect, warranted in addressing their complaints on this head to the bosoms of your great and noble lordships, and (seeing the commerce with North America can not subsist without navigation, no more than navigation without a safeguard) of reckoning upon the active direction, the useful employment, and prompt augmentation of our naval forces, in proportion to the means which shall be the most proper effectually to secure to the commerce of this republic the fruits of its connexions with United North America.

For which reasons the petitioners, returning to your noble and great lordships their solemn thanks for the favorable resolution taken upon their request the 18th of March last, address themselves anew to them on this occasion, with the respectful prayer that it may graciously please your noble and great lordships to be willing to effectuate by your powerful influence, whether in the illustrious assembly of their noble and grand mightinesses, whether among the other confederates or elsewhere, there, and in such manner as your noble and grand lordships shall judge the most proper, that the resolution of their noble and grand mightinesses of the date of the 28th of March last, for the admission of Mr. Adams in quality of minister of the United States of America, be promptly executed, and that the petitioners, with the other commercial citizens, obtain the effectual enjoyment of a treaty of commerce with the said Republic, as well by the activity of the marine of the state and the protection of the commerce and of the navigation, as well as by all other measures that your noble and great lordships, with the other members of the sovereign government of the republic shall judge to tend to the public good and to serve to the prosperity of the dear country as well as the maintenance of its precious liberty.

UTRECHT, *April 28, 1782.\**

Wednesday last was presented to their noble mightinesses the lords the States of this Province the following address of thanks signed by a considerable number of merchants, &c., of this city :

*To their noble mightinesses the lords the States of the country of Utrecht :*

The undersigned, manufacturers, merchants, and other traders of this city give, with due respect, to understand that the petitioners, placing their confidence in the interest that your noble mightinesses have always appeared to take in the advancement of manufactures and commerce, have not been at all scrupulous to recommend to the vigilant attention of your noble mightinesses the favorable occasion that offers itself in this moment to revive the manufactures, the commerce, and the trade fallen into decay in this city and Province, in case that your noble mightinesses acknowledged, in the name of this city, Mr. Adams as minister plenipotentiary of the United States of North America, to the end that there might be formed with them a treaty of commerce for this republic. As the petitioners founded themselves thus upon the intimate sentiment of the execution of that which your noble mightinesses judged proper to the advancement of the well-being of the petitioners and of their interests, the petitioners have further the satisfaction of feeling the most agreeable proofs of it when your noble mightinesses, in your last assembly, resolved unanimously to consent not only to the admission of the said Mr. Adams in quality of minister of the Congress of North America, but to authorize the gentlemen the deputies of this Province at the Generality to conform themselves, in the name of this Province, to the resolutions of the lords the States of Holland and West Friesland and of Friesland, and doing this to consent to the acknowledgment and admission of Mr. Adams as minister of the United States of North America; or, as that resolution furnishes the proofs the best intentioned, the most patriotic for the advancement of that which may serve to the well-being, to the encouragement of manufactures, of commerce, and of decayed trades, as well in general as of this city and Province in particular, and which had been so ardently desired, the petitioners think themselves indispensably obliged to testify, in the most respectful manner, their gratitude for it to your noble mightinesses.

The petitioners find themselves absolutely unable to express in words the general satisfaction that this event has caused, not only to them, but also to the great and small of this Province; joined to the confirmation of the perfect conviction in which they repose themselves also for the future upon the paternal care of your noble mightinesses, that the consummation of the desired treaty of commerce with the Americans may soon be effected. The petitioners attest by the present before your noble mightinesses their solemn and well-meant gratitude, that they address also at the same time to your noble mightinesses, as the most sincere marks of veneration and respect for the persons and the direction of public affairs of your noble mightinesses, wishing that Almighty God may deign to bless the efforts and the councils of your noble mightinesses as well as those of the other confederates; that moreover this Province and our dear country, by the propositions of an armistice and that which depends upon it, should not be involved in any negotiations for a particular peace with our perfidious enemy, but that we obtain no other peace than a general peace, which (as your noble mightinesses express yourselves in your resolution) may be compatible with our honor and dignity, and serve not only for this generation, but also for the latest posterity, as a monument of glory, of eternal gratitude to and esteem for the persons and public administration of the present time.†

I have the honor to be, &c.,

JOHN ADAMS.

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\* This is a postscript added before the letter was sent.

† Great as appeared the ground of complaint on the American side of Dutch procrastination based on the complication of Dutch government, it seems that on the English



*La Fayette to Vergennes.\**PARIS, *March 20, 1782.*

You requested me, sir, a few days ago to send you some extracts from my Spanish letters. From the kindness of Congress in desiring all their ministers to correspond with me I am acquainted with the proposals the Americans have made and with the reluctance the Spaniards have testified to form any treaty with them. It might be more politic, perhaps, to conceal this opinion; but it would be unjust to attribute obstacles to those who are exerting themselves to levy them.

The 2d of July, 1781, the ministers informed Mr. Jay that Congress, acquainted with the objection made to the ratification of the treaty, had resolved to yield the point in dispute. That point related to the navigation of the Mississippi, and Mr. Jay requested that a person might be appointed to write the various articles of the treaty with him.

The 21st of July the minister wrote that he would present the letter to his majesty.

The 19th of September the minister announced that he would propose to the king to nominate a person charged to confer upon the subject, and that he would present to the king a letter from Mr. Morris relative to the succors which he gave him hopes of obtaining. The minister finally demanded a statement of the proposals which were to become the basis of the treaty.

The 22d of September the proposals were sent.

The 27th of September another letter from the minister, announcing that a person was to be appointed to confer on the subject, and adding that instructions should be given before the court set out for the Escorial.

The 5th of October, as the court was on the point of setting out, Mr. Jay wrote again to the minister, and informed him that he was expecting his orders from the Escorial. The minister replied that he would write the moment he could say anything positive relative to the affair.

The 10th of December the minister announced the appointment of Don Bernardo del Campo, whose instructions, he said, would be ready in nine or ten days.

The 27th of December: M. del Campo excused himself from entering upon the matter by saying his instructions were not yet made out, nor

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side the complaints were not only greater, but accompanied with a charge of undue facilities given to France and the United States. Thus, it is said by Harris, in a despatch of April 30, 1782, that he advised the Empress of Russia to insist on speedy action by Holland in a matter in which Russia was mediator, and this "without being suffered to have recourse to that procrastination they have ever pretended inseparable from the constitution of their republic whenever they were to deliberate on a measure they did not approve, but which we had lately seen did not exist when the favorite project of a French union and the independence of America were under debate."—1 Malmesbury Correspondence, 433.

\* 2 La Fayette's Memoirs 18.



even begun, and that he did not know when they would be so. This M. del Campo is first secretary to the minister.

The 1st of February, 1782: M. del Campo repeated the excuse of the 27th December.

The 16th of February: Same excuse.

When Mr. Jay addresses himself to the minister, he is either much occupied or ill, and refers Mr. Jay to Don Bernardo del Campo; and Don Bernardo del Campo, not having received any instructions, can only promise to speak on the subject to the minister.

This want of health, time, or instructions, has hitherto occasioned the neglect of all the memorials which have been presented by the American minister.

I do not allow myself, sir, to judge of the policy of a court which so many motives induce me to respect; but the Americans very justly desire that all the particulars of their conduct should be made known to the king, and that he whose treaties had been founded on generosity and frankness should not have cause to suspect that his American allies in their negociations with Spain have failed either from want of good faith or good will.

From the hopes given the 19th of September, it was supposed that the succors granted by Spain would exceed the trifling sums America has hitherto received from her; but some remaining letters of exchange, amounting to £25,000 sterling, would have been protested if Mr. Franklin had not made use of the money which had been placed at his disposal. I therefore perceive sir, that the right France has acquired to the glory of this revolution and the gratitude of the Americans can not be justly shared by any other European power.

The despatches of M. de la Vauguyon will undoubtedly inform you of the state of American affairs in Holland. From what Mr. Adams has written to me, I fancy they are at present taking a favorable turn.

Receive I beseech you, sir, the assurance of my respect and affection, &c.

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Hartley to Franklin.\*

LONDON, *March* 21, 1782.

MY DEAR FRIEND: You will have heard, before this can reach you, that Lord North declared yesterday in the House of Commons that his majesty intended to change his ministers. The house is adjourned for a few days to give time for the formation of a new ministry. Upon this occasion, therefore, I must apply to you to know whether you would wish me to transfer the late negociation to the successors of the late ministry, in these terms (*vide* yours to me of January 15th, 1782), viz., "that you are empowered by a special commission to treat of peace,

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\* 2 Sparks' Dip. Rev. Corr., 230.

whenever a negotiation for that purpose shall be opened. That it must be always understood that it is to be in conjunction with your allies, conformable to the solemn treaties made with them. That the formal acknowledgment of the independence of America is not made necessary." And may I add, that upon these terms you are disposed to enter into a negotiation? It is not known who will succeed the late ministry, but from the circumstances which preceded its dissolution, we are to hope that they will be disposed to enter into a negotiation of peace upon fair and honorable terms. I have no doubt that there were some persons in the late ministry of that disposition.

I told you in my last letter to you of the 11th and 12th instant, that I had received information, whilst I was in the course of correspondence with the ministry myself on the subject of peace, that some part of the ministry were transmitting some communications or inquiries upon that subject with Mr. Adams, unknown to me. I had informed the ministry from you of the names of the four persons empowered to treat. I saw the minister upon the occasion. (I should now call him the late minister.) I took the liberty of giving him my opinion upon the matter itself. So far as it related personally to me, I expressed myself fully to him, that there was no occasion that such a step should have been taken unknown to me; for that I was very free to confess, that if they thought my partiality towards peace was so strong that they could drive a better bargain through another channel, I could not have any right of exclusion upon them. I relate this to you because I would wish to have you make a corresponding application to your own case. If you should think *that my strong desire for peace, although most laudable and virtuous in itself, should mislead me*, and that my being as you may suppose misled, may be of any prejudice to the cause committed to your trust, I desire by no means to embarrass your free conduct by any considerations of private or personal regard to myself. Having said thus much, I will now add that I am not unambitious of the office of a peacemaker; that I flatter myself the very page which I am now writing will bear full testimony from both sides of the impartiality of my conduct. And I will add once more, what I often said and repeated to each side, viz., that no fallacy or deception, knowing or suspecting it to be such, shall ever pass through my hands.

Believe me, I sympathize most cordially and sincerely with you in every anxiety of yours for peace. I hope things are tending (although not without rubs) yet, in the main, to that end—soon! as soon as the course of human life may be expected to operate on the great scale and course of national events, or rather in the creation and establishment of a new world. I am sometimes tempted to think myself in patient expectation the elder sage of the two; I say the elder, not the better.

Yours, &c.,

D. HARTLEY.

[Franklin's letter of March 22, 1782, to Shelburne, is given *infra* in Franklin's Journal under date of July 1, 1782.]

## Digges to Franklin.\*

AMSTERDAM, *March 22, 1782.*

SIR: I left England a few days back; and until my conversation and some consultations with Mr. Adams on a matter which will be mentioned to you by him, and more particularly explained in this letter, my determination was to have seen you, as well on that business as on a matter of much consequence to my private reputation. I feel the disadvantages under which I labor when writing to you on a matter which can not be explained or cleared up but by personal conversation. I do not give up my intended purpose of personally speaking to you; but it being found better and more convenient to my purpose to return immediately hence to England, and from thence to Paris, in preference to going first to Paris, it must be unavoidably delayed for some days.

It would take up more than the length of a letter to explain the whole opening and progression of a matter I am here upon, which was and is meant to be jointly communicated to you with Mr. Adams. I will therefore take the liberty to give you an abbreviation of it in as few words as I can.

About a fortnight ago a direct requisition from the ministry, through Lord Beauchamp, was made to Mr. R. Penn, to know if he could ascertain *that any person or persons in Europe were commissioned by Congress to treat for peace, whether they were NOW willing to avail themselves of such commission, and of the present sincere disposition in the ministry to treat, and whether they would receive an appointed commissioner to speak for a truce, and mention a place for their meeting, &c.*

Mr. Penn's referring Lord Beauchamp to me, as knowing the nature of Mr. Adams' former commission, was the sole cause of my being privy to or a party in the matter. I had various meetings with Lord Beauchamp in company with Mr. Penn on the subject; the particular memorandums of which, and Lord Beauchamp's statement of what the ministry wanted to obtain, together with every other circumstance relative to the matter, I regularly consulted Mr. Laurens and Mr. D. Hartley upon; and the result was my taking the journey hither, and to Paris, in order to put the questions (as they are before stated from Lord B. to Mr. Penn) and to bring an answer thereto. I am well convinced, by Lord Beauchamp's pledge of his personal honor, as well as from Mr. Hartley's telling me he knew the matter to come directly from Lord North (for he visited him more than once to ascertain the fact), that it is a serious and sincere requisition from the ministry, and that they will immediately take steps to open a treaty, provided I go back with assurances that there is a power vested in Americans in Europe to treat and conclude, and that they are willing to avail themselves of such power when properly applied to.

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\* 2 Sparks's Dip. Rev. Corr., 232. See J. Adams to Franklin, March 26, 1782.

That Franklin had no confidence in Digges, see Franklin to Hartley, April 8, 1782; and as to Digges' character, see Introduction, § 206.

I have stated the whole transaction to Mr. Adams, read every memorandum I had made, informed him of every circumstance I knew, and when I put the questions (as they are before stated from Lord Beauchamp to Mr. Penn) he replied, "that there were certainly commissioners in Europe, of which body he was one, who had powers to treat and conclude upon peace; that he believed them willing to enter into such a treaty, provided a proper offer was made; but that no questions now, or to be made in the future, could be answered by him, without previously consulting his colleagues, and afterwards acquainting the ministers of the belligerent powers thereof." Mr. Adams recommended that any future questions might be made directly to you, for the present, as well as any subsequent propositions, would be immediately communicated to you and to M. de Vergennes.

His answers to my questions were nearly what I foretold and expected, and are substantially what Lord Beauchamp seemed so anxious to procure. When I relate this answer to his lordship my business will be finished in that quarter. I will here explain to you my only motive for being a messenger from him, whom I had never known nor been in company with before. It will enable me to say, "I have done one favor for you and I claim of you another, viz., to obtain a restoration of my papers from Lord Hillsborough's office, which were in a most illegal and unjustifiable manner seized from me near a twelvemonth ago, and are yet withheld, notwithstanding the personal application for them from Lord Coventry, Lord Nugent, and Mr. Jackson, each of whom has explained the injury and very extraordinary mischief the want of my papers for so long a time has and is now doing me."

On my first conversation with Mr. Adams I had concluded to go to you, partly by his advice to do so; but as the expense of two journeys, where one may serve, is of some import to me, and from supposing your answer would be substantially the same as that from Mr. Adams, I have thought it better to go back immediately to London and then set out for Paris, with the probability of being able to bear my papers.

I will take the liberty to trouble you with another letter if any thing occurs on my arrival in London. I am to leave this with Mr. Adams for forwardance; and for the present I have only to beg a line acknowledging the receipt of it. If your letter is put under a cover to Mr. Stockdale, bookseller, Piccadilly, London, it will the more readily get to hand.

I am, with great respect, sir, your very obedient servant,

T. DIGGES.

OSTEND, *March 26.*

P. S.—On my last visit to Mr. Adams, Friday evening, to explain to him the substance of the foregoing letter, and ask his forwardance of it to you, we had some further conversation on the matter, the ultimate conclusion of which was, that it was thought better I did not send the

annexed letter to you or mention my business with him until my going in person from England. Mr. Adams' reasons were these: That if I made the communication *then*, he should be necessitated to state the matter in a long letter to you and others of his colleagues; that the matter as it then stood was not of such importance but he could save himself the trouble of the explanation; and that as he recommended any future questions or applications to be made directly to you, your situation making it more convenient sooner to inform the French court thereof, he thought my letter had better be postponed, and the substance of it given in person as soon as I could possibly get from London to Paris. I acquiesced, though reluctantly; and having thought much on the matter on my journey hither, I have at length determined to forward the foregoing letter with this postscript, and at the same time to inform Mr. Adams of my exact feelings on the matter, viz., that my wishes and intentions, which, when I left England, were to see and make known the matter to you; that through Mr. Hartley or some other channel you must hear that I had been at Amsterdam, and my seemingly turning my back upon you might be thought oddly of; and, finally, that I could not answer for carrying the enclosure from Mr. Hartley back to England, not knowing the consequence it might be of. I hope and think I have done right in this matter.

The purpose for my moving in the business I went to Mr. Adams upon has, I own, been with a double view of serving myself in a matter of much consequence to me; for, after delivering the explanations I carry, I can with some degree of right, and a very great probability of success, claim as a gratuity for the trouble and expense I have been at, the restoration of my papers, the situation of which I have already explained to Lord Beauchamp, in order to get him to be a mover for them; and I have very little doubt that a few days will restore them to me, and give me an opportunity to speedily speak to you on a matter which gives me much uneasiness, vexation, and pain. Excuse the hurry in which I write, for I am very near the period of embarkation. Paul Wentworth embarked this day for England. I trod on his heels the chief of the way from The Hague, which he left suddenly. General Fawcett is on his road hence to Hanover.

T. D.

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Franklin to Rayneval.\*

PASSY, *March 22, 1782.*

SIR: With this I have the honor of sending you *all the letters* I have received from or written to England on the subject of peace. M. de Vergennes should have seen them sooner if I had imagined them of any importance; for I have never had the least desire or intention of

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\* MSS. Dep. of State; 7 Bigelow's Franklin, 415.

keeping such correspondence secret. I was, as you will see, accidentally drawn into this, and conceiving it of no use, I have been backward in continuing it.

I send you also some papers, which show the attentive care of the Congress respecting the law of nations, and which were intended to accompany my letter relating to Denmark, but then omitted.

Herewith you will also receive the vote of Congress empowering the commissioners to borrow money.

With great esteem, I have the honor to be, sir, yours.

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Franklin to Williams.\*

PASSY, *March 23, 1782.*

DEAR JONATHAN: I have received yours of the 19th inst., with the account of the duties you have paid. I do not comprehend the policy of burdening their own manufactures, but the laws of the country we trade with must be observed.

I have determined to rely on the government entirely for the transport of the goods. I am instructed not to send them but under convoy directly to Philadelphia, and I can not trust myself in making bargains for ships, being too ignorant in such matters. Particularly I will enter into no such bargain with my cousin. If it should prove a hard one for you it would hurt my feelings of friendship, and if a profitable one, I shall be reflected on as having given you a lucrative job at the expense of the public. I believe the government would still take more ships, if offered soon, so that you may there find employ for the ship you propose to buy, if you like the terms. Our occasions are not so pressing as to justify my giving extravagant freights. By advices from America it appears that our army was provided with clothing for this year; that the cargo of the *Marquis de la Fayette* was arrived at Philadelphia from St. Thomas' and lay upon the hands of the importers; the arms taken with Cornwallis and large quantity arrived at Boston put us at our ease on that article, and we have, therefore, more than a year before us to get our goods over. Mr. Morris writes me that he is sorry the purchase has been made, and wishes the value had still remained in money at our disposal; so I can only thank you for your offer and decline it.

I hope the seeds will arrive soon, or the season of planting will be lost and they become useless. Billy will send you the paper and ink powder. My love to the good wife, and believe me ever your affectionate uncle.

P. S.—The St. Domingo fleet, if it arrives, will furnish a good many ships.



Morris to Franklin.\*

OFFICE OF FINANCE, *March 23, 1782.*

SIR: Applications being frequently made by the several loan offices for orders to renew sets of exchange, in consequence of proof made to them by the proprietors of interest bills that the first, second, third, and fourth bills have been lost and destroyed, or by accident prevented from reaching the persons to whom they were remitted, and as it is but just in such instances to renew the same, I have caused a number of bills to be struck of the same denominations, and in the same style, manner, and tenor, except that they are fifth, sixth, seventh, and eighth bills, and when made use of will be filled up in the same manner as the first four were, and issued from the same office. I give you this notice, that you may direct the banker to pay due honor to any one of those bills in all instances where no one of the set, consisting of eight, has before been paid; and of course he will before such payment always satisfy himself that none of the others have been honored. This general advice will, I think, answer the purpose and render unnecessary particular advice with each renewed set of exchange.

I have the honor to be, &amp;c.,

ROBERT MORRIS.†

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 J. Adams to Franklin.‡
THE HAGUE, *March 26, 1782.*

SIR: One day last week I received at Amsterdam a card from Digges, enclosing two letters to me from David Hartley. The card desired to see me upon business of importance, and the letters from Mr. Hartley contained an assurance that to his knowledge the bearer came from the highest authority. I answered the card that, in the present situation of affairs here and elsewhere it was impossible for me to see any one from England without witness; but, if he were willing to see me in the presence of Mr. Thaxter, my secretary, and that I should communicate whatever he should say to me to Dr. Franklin and the Count de Vergennes, I would wait for him at home at ten o'clock; but that I had rather he should go to Paris without seeing me, and communicate what

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 \* 6 Sparks' Dip. Rev. Corr., 445.

† MARCH 27. Having determined to draw bills on Mr. Grand at Paris for five hundred thousand livres, under such limitations and conditions as must secure the payment, the minister of France being absent, I consulted M. de Marbois, *chargé d'affaires*, read to him my letter to Dr. Franklin, explained my plan, and finally had his approbation so far as he is authorised. This gentleman also communicated to me the minister's letters to the court so far as they related to our finances, and I found them to breathe the true spirit of attachment and friendship to America.—*Diary*.

‡ MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 235, with verbal changes; 7 J. Adams' Works, 554; 9 Sparks' Franklin, 186; 7 Bigelow's Franklin, 417.

he had to say to Dr. Franklin, whose situation enabled him to consult the court without any loss of time. At ten, however, he came, and told me a long story about consultations with Mr. Penn, Mr. Hartley, Lord Beauchamp, and at last Lord North, by whom he was finally sent to inquire of me if I, or any other, had authority to treat with Great Britain of a truce. I answered, that "I came to Europe with full powers to make peace; that those powers had been announced to the public upon my arrival, and continued in force until last summer, when Congress sent a new commission, containing the same powers, to four persons, whom I named; that if the King of England were my father, and I the heir-apparent to his throne, I could not advise him ever to think of a truce, because it would be but a real war under a simulated appearance of tranquillity, and would end in another open and bloody war, without doing any real good to any of the parties."

He said that "the ministry would send some person of consequence over, perhaps General Conway, but they were apprehensive that he would be ill-treated or exposed." I said "That, if they resolved upon such a measure, I had rather they would send immediately to Dr. Franklin, because of his situation near the French court; but there was no doubt, if they sent any respectable personage, properly authorized, who should come to treat honorably, he would be treated with great respect; but that if he came to me, I could give him no opinion upon anything without consulting my colleagues, and should reserve a right of communicating everything to them and to our allies."

He then said, that "his mission was finished; that the fact to be ascertained was simply that there was a commission in Europe to treat and conclude; but that there was not one person in Great Britain who could affirm or prove that there was such a commission, although it had been announced in the gazettes."

I desired him, and he promised me, not to mention Mr. Laurens to the ministry without his consent (and without informing him that it was impossible he should say anything in the business, because he knew nothing of our instructions), because, although it was possible that his being in such a commission might induce them to release him, yet it was also possible it might render them more difficult concerning his exchange.

The picture he gives of the situation of things in England is gloomy enough for them. The distresses of the people and the distractions in administration and Parliament are such as may produce any effect almost that can be imagined.

The only use of all this, I think, is to strike the decisive strokes at New York and Charleston. There is no position so advantageous for negotiation as when we have all an enemy's army prisoners. I must beg the favor of you, sir, to send me, by one of the Count de Vergennes' couriers to the Duc de la Vauguyon, a copy in letters of our peace instructions. I have not been able to decipher one-quarter part of mine. Some mistake has certainly been made.

Ten or eleven cities in Holland have declared themselves in favor of American independence; and it is expected that to day or to-morrow this Province will take the decisive resolution of admitting me to my audience. Perhaps some of the other Provinces may delay it for three or four weeks. But the prince has declared that he has no hopes of resisting the torrent, and *therefore* that he shall not attempt it. The Duc de la Vauguyon has acted a very friendly and honorable part in this business; without, however, doing any ministerial act in it.

With great respect, I have the honor to be, sir, your most obedient and most humble servant,

JOHN ADAMS.

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La Fayette to Adams.\*

PARIS, *March 27, 1782.*

MY DEAR SIR: I beg you will accept my best thanks for the two letters you have been pleased to write, giving the particulars of your situation in Holland and favoring me with your opinions upon the operations of the next campaign.

I am happy to find you are likely to get the better of British cabals and hope our independence will soon be acknowledged throughout the United Provinces. Such a measure from a republican and commercial nation will prove particularly agreeable to America. You will vastly oblige me, my dear friend, to let me hear of the progress of your negotiations, and I do assure you that independent of public considerations the high regard and warm attachment I feel for you will greatly contribute to my satisfaction.

On my departure from America I have been desired by Mr. Morris to represent the necessity of a pecuniary assistance. It has been granted, but four or six millions are wanting to make up the sum. Could it be possible to find them in Holland upon American credit?

The defensive plans of General Conway are so very absurd that I think, with you, a general evacuation will probably take place. However, we ought not to be too sanguine. *In all cases* I am entirely of your opinion about what *we ought to do*. I can not write so confidentially by post as I could wish, and will be more particular when an opportunity offers. I had a letter from Mr. Jay; things are as usual. General Washington writes me that everything in the several departments is taking a good turn and great improvements are made. He appears much satisfied with the present situation of affairs.

You are to receive a visit, not from a friend. That I had from the ministers here. You will vastly oblige me with the particulars. But let me know what I am to say and not to say. The next safe opportunity I will write you a confidential letter, and wish it was in your power to

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\* 7 J. Adams' Works, 556.

let me have a cipher to correspond with you. I shall remain some weeks more in France, and am sure Congress will approve of the delay.

With the highest regard, etc.

LA FAYETTE.

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Franklin to La Fayette.\*

PASSY, *March* 28, 1782.

DEAR SIR: I have considered the proposal of getting the American prisoners out of Forton gaol and bringing them over in companies to France in smuggling vessels; but as to effect this there must be some place found on the coast where the prisoners may assemble to wait for the vessel [and where the vessel] may lie to wait for the prisoners, as the case may happen, without danger of being discovered and seized (it being hardly possible to regulate and time the different operations by land and water so as to meet exactly at the same time), and there being, I imagine, no such place on that part of the coast, I apprehend the project to be impracticable. Mr. Young may, however, make the inquiry he proposes at Dunkirk, of Mr. Coffyn, on his way to Ostend, and write to us the opinion of that gentleman.

With great and sincere esteem and affection, I am, dear sir, your most obedient and most humble servant.

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Dumas to Livingston.†

THE HAGUE, *March* 29, 1782.

SIR: It is with great satisfaction that I find myself authorized to begin an official correspondence with you by congratulating the United States on the acquisition of two illustrious sisters, whose example will be speedily followed by five others. On the 26th of February last Friesland and yesterday Holland adopted the provincial resolutions to instruct their deputies in the States-General to direct affairs in that body in such a manner as to procure Mr. Adams' admission for the purpose of presenting his credentials from the United States to their high mightynesses. This is an acknowledgment of your independence and opens the road to negotiation. I have received triplicates of your favor, and shall have the honor of answering more fully on the first opportunity.

I hope the two pamphlets accompanying this, — and —, which are very celebrated, rare, and valuable here, will reach you in safety.

I am, &c.,

DUMAS.

P. S.—The names of Messrs. Gyzelaer, Zeeberg, Van Berckel, and Visscher, pensionaries of the cities of Dort, Haerlem, and Amsterdam, are worthy of being remembered with the highest esteem by every true American.

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\* MSS. Dep. of State.

† 5 Sparks' Dip. Rev. Corr., 345.

Franklin to Livingston.\*

PASSY, *March* 30, 1782.

SIR: In mine of the 9th instant I acknowledged the receipt of yours of January 7th, and I have not since received any of later date. The newspapers which I send you by this conveyance will acquaint you with what has, since my last, passed in Parliament. You will there see a copy of the bill brought in by the attorney-general for empowering the king to make peace with the Colonies. They still seem to flatter themselves with the idea of dividing us; and rather than name the Congress, they empower him generally to treat with any *body or bodies of men, or any person or persons, &c.* They are here likewise endeavoring to get us to treat separately from France, at the same time they are tempting France to treat separately from us, equally without the least chance of success. I have been drawn into a correspondence on this subject, which you shall have with my next.

I send you a letter of Mr. Adams', just received, which shows also that they are weary of the war, and would get out of it if they knew how. They had not then received the certain news of the loss of St. Christopher's which will probably render them still more disposed to peace. I see that a bill is also passing through the House of Commons, for the exchange of American prisoners, the purport of which I do not yet know.

In my last, I promised to be more particular with respect to the points you mentioned, as proper to be insisted on in the treaty of peace. My ideas on those points are, I assure you, full as strong as yours. I did intend to have given you my reasons for some addition, and if the treaty were to be held on your side the water, I would do it; otherwise it seems, on second thoughts, to be unnecessary, and, if my letter should be intercepted, may be inconvenient. Be assured I shall not willingly give up any important right or interest of our country; and unless this campaign should afford our enemies some considerable advantage, I hope more may be obtained than is yet expected.

I have purchased for you all the books you desired, except four, which we have sent for to England, I shall request our excellent friend, the Marquis de la Fayette, to take them under his care, and I hope they will get safe to hand. The others shall follow by the first opportunity after I receive them.

Our affairs go on, generally, well in Europe. Holland has been slow, Spain slower, but time will, I hope, smooth away all difficulties. Let us keep up, not only our courage, but our vigilance, and not be laid asleep by the pretended half peace the English make with us without asking our consent. We can not be safe while they keep armies in our country.

With great esteem, &c.,

B. FRANKLIN.

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\* MSS. Dep. of State; 2 Sparks' Dip. Corr., 237; 9 Sparks' Franklin, 189; 7 Bigelow's Franklin, 423.

Franklin to Morris.\*

PASSY, *March 30, 1782.*

SIR: With this, if it comes to hand, you will receive copies of several preceding letters to you which went by the *Alliance*, Captain Barry, who sailed the 15th without taking any of our supplies, conceiving his vessel not fit for such service, and I am still uncertain whether any part can go by the convoy. If the St. Domingo fleet, which has long been expected, were arrived, transports would not be so scarce. Captain Barry tells me there is abundance of arms and ammunition at Boston, and the capture of Cornwallis having furnished more, I hope those articles will not be much wanted; I have also been informed that the cargo of clothing sent by the ship *Marquis de la Fayette* is arrived with you from neutral ports and offered at a low price. If this be true, the unavoidable delay of the goods we have on hand will not, on the whole, be so prejudicial to our affairs. We do not, however, rely on these informations but press continually for the aid of government to get them transported safely. Mr. Barclay is still in Holland endeavoring to ship the unfortunate purchase left there by Gillon; and if his ships go safe, you will be furnished thence with something considerable.

Since my last I have paid in Holland a number of bills of exchange drawn in favor of Mr. Ross, amounting to 40,958 bank florins and by that means prevented their protest. No demand has been made on me by Mr. Wm. Lee. I do not know where he is, and I think he did so little for the 3,000 guineas he received, that he may wait without much inconvenience for the addition. I have paid Captain Frey and taken the receipts you required. In the other dispositions you have ordered I shall do the best I can.

Before I was sufficiently assured myself or could assure Mr. Jay of having wherewithal to assist him in discharging his acceptations I heard he had begun to suffer some of them to be protested. As soon as I found it was possible for me to help him, I wrote to him to draw upon me for the sum he wanted, being near thirty thousand pounds sterling, which will put a stop to those protestations and enable him to pay all honorably.

By the newspapers I send to Mr. Secretary Livingston you will see the change of sentiment respecting us in the English nation. I do not know whether this will diminish your expense for the coming campaign, because while they have an army in our country I do not think their proposed inactivity is to be trusted, though it is said that after such resolutions of Parliament no minister will dare to order offensive operations. Their paper says that orders are given both in England and Ireland to stop the embarkation of the troops intended for North America; but what I rely on more is some information I have just re-

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\* MSS. Dep. of State; 7 Bigelow's Franklin, 419.



ceived from Germany that the march of recruits there to the seaside is also countermanded. If from what *it is their interest to do* one could conclude what they will do, I should imagine that, alarmed with the loss of St. Christopher, they would withdraw their troops from the continent in order to defend their remaining islands. But this ministry have hitherto so constantly acted contrary to the true interests of their nation and so inconsistently with common reason and judgment, that one can not fairly draw such a conclusion.

The goods for replacing the cargo of the *Marquis de la Fayette* had been purchased long before we knew that you could have wished it otherwise. I hope the invoice you sent me of goods to be bought by Messrs. Barclay and Ridley will be partly rendered unnecessary by the purchase, because I see no possibility of paying the sum required for the invoice, viz., near two millions, having received the most explicit and positive assurances that more money than I have mentioned can not this year be obtained.

Permit me to hope also and for the same reason that the bills you will find yourself obliged to draw on me may not amount to a very large sum. Hitherto I have accepted and paid all drafts upon myself, and enabled my colleagues to discharge those upon them with punctuality and honor, the few above mentioned on Mr. Jay only excepted. I wish to finish this part of my employment with the credit I have hitherto supported both for myself and for my constituents. I must in June next pay M. Beaumarchais near 2,500 livres. I have often been in great distress and suffered much anxiety; I still dread at times the same situation; but your promise that after this month no more bills shall be drawn on me keeps up my spirits and affords me the greatest satisfaction.

I am extremely pleased with the various prudent measures you have with so much industry put in practice to draw forth our internal strength. I hope they will be attended with the success they merit, and I thank you for the communication.

Our former friend, Mr. Deane, has lost himself entirely, and he and his letters are universally condemned. He can not well return hither, and I think hardly to America. I see no place for him but England. He continues, however, to sit croaking at Ghent, chagrined, discontented, and dispirited. You will see by the enclosed what Mr. Barclay says of his accounts. Methinks it would be well to have them examined and to give orders for the payment of what is found justly due him. Whether the commission he charges on the purchases made by Mr. Beaumarchais comes under that description I can not say; the Congress will judge.

I will endeavor to send the books with the Marquis, who does not go yet for three or four weeks. I shall write further by that opportunity. At present I can only add that I am ever, with the sincerest esteem and respect, dear sir, yours, &c.

Dana to Livingston.\*

No. 2.

ST. PETERSBURGH, *March 30, 1782.*

SIR: I did myself the honor on the 5th instant to acknowledge the receipt of the triplicate of your letter to me of the 22d of October last; the original has since come to hand. I will forward a duplicate of the above by this opportunity.

Everything seems to confirm the opinion I have expressed relative to the partial mediation between Britain and Holland, but more especially the resolution of Friesland respecting the United States. The failure of that mediation is now universally considered here as beyond a doubt. And nothing, I believe, but the very critical condition of Britain will revive the idea of a general mediation sooner than I have estimated in my last. She has now lost Minorca, and in a manner, too, that astonishes everyone here, and with it the remains of her commerce in the Mediterranean Sea. St. Christopher, it is said, is in imminent danger, and the formidable force gone against Jamaica may make her reflect seriously upon her forlorn state, and perhaps drive her to the humiliating necessity of reviving a mediation she has rejected with so much haughtiness. If so, it seems evident from the decided nature of the final answer of the court of Versailles, as well as from that of Madrid to the imperial courts, that to do this with any effect the mediators must advance to the line marked out; they must invite the ministers of the United States to the general congress.

The minister of Spain, who went to Vienna to assist at the congress, has received orders to repair to this court (where they have now only a *chargé d'affaires*) as a resident minister. He is expected here the next month.

There has lately been a lively sensation in this quarter, occasioned by a publication in the *Courier du Bas Rhin*, where it was positively asserted that a secret treaty had been concluded between her Imperial majesty and the Emperor relative to a partition of the Turkish territories in Europe. The affair, it is said, has been denied. However the fact may be, there seems to be some suspicions remaining that a scheme is forming, if not of the nature mentioned, yet at least relative to a full enjoyment of a commerce upon the Black Sea and into the Mediterranean. This is an object which has more or less engrossed the attention of this court from the days of Peter the Great, and is one of no small consequence to the interests of this empire. The state of things brought on by the peace of Kainardgi (1774) between Russia and Turkey has opened the way for the completion of this design. By this treaty Russia obtained a right to a free commerce in the Turkish seas, and for that end three ports there, viz., Kinbourn, Kersch, and Yenikale. Further, the Khan of the Crimea (who is no longer liable to be deposed by the

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 613.

grand Sultan) is very friendly disposed towards her Imperial majesty, and would be capable of affording essential services towards the execution of such a plan. He has lately sent an ambassador to this court, who has been most graciously received. The Porte has been constantly opposed to this commercial plan. Hence the difficulties which have taken place respecting the admission of a Russian consul, which the firmness of her majesty has at last overcome. The whole seems yet to be on too precarious a foundation. Perhaps solidly to establish this system of commerce another war may be deemed necessary, particularly for the purposes of gaining better ports and to give greater security to the navigation which may be carried on from them, by removing the Turks to a more convenient distance and establishing a marine in those seas capable of affording it a complete protection ; without this all that vast commercial project lies at the mercy of the Turks.

I have touched upon this subject that, from the great interest this empire has in such a plan, from the extensive views of its sovereign and from the present apparently favorable state of circumstances, you may be enabled to form a better opinion of the probability or improbability of the supposed connexion. But, upon the supposition of its truth, Will our enemies draw any essential benefits from it ? or Will it in any way injure our interests ? are questions which may arise out of it and bring it home to us. It will happen, I think, if it happens at all, too late for the former ; but, as to the latter, it may procrastinate our views, as it will form the principal object of her majesty's attention, and the affairs on this side of Europe will become but secondary concerns. I shall add nothing further at present on this subject, but shall from time to time endeavor to give you some account of the prevailing system and the leading principles of politics in this court.

In pursuance of one branch of my duty I have, during my residence here, made a particular inquiry into the nature of the commerce of this country. By the list of exports for the last year, which will accompany this, may be seen the commodities of all kinds which it furnishes, as well as the share which the several nations of Europe have taken in this commerce for the same time, and, by the list of vessels passing and repassing the Sound, the proportion of their navigation which has been concerned in it. When it is considered that the Dutch used to send about six hundred vessels into the Baltic annually, there can remain no doubt but that the neutral maritime powers are very well contented with the Dutch war, and that they are deeply interested in the principles of the neutral confederation, though a crooked and corrupt system of politics may prevent some of them from defending their rights with proper vigor.

The great demands we have for the principal articles of this commerce, such as hemp, cordage, sail-cloth, their linen manufactures of all sorts, especially for household use, is well known, as we have been heretofore supplied with these through Great Britain. But perhaps the

commodities suitable for this market may not be so well understood among us. The principal ones of our country are rice and indigo; tobacco is a prohibited article. Grain is not wanted, except rice. From this state is it not evident if we would carry on this commerce to any considerable extent, as we shall certainly find it proper to do, we must do it by circuitous voyages in a great measure? For this purpose the productions of the West Indies and of the continent of America south of us, such as sugar, coffee (rum would not answer), all sorts of dyeing woods, cochineal, etc., are proper. This may point out the importance of obtaining a right to cut those woods on the Spanish shores in the bay.

The wines, brandies, fruits, and manufactures of France form a great branch of the trade to this country. This has heretofore been chiefly carried on by the Dutch, but may we not come in for a share of it? Many of our commodities are adapted to the markets of France. Might not our vessels intended for this circuitous voyage arrive in France towards the end of the winter, charged with our produce, and take in a cargo there, so as to be ready to enter the Baltic early in May? The ports of France frequented by the Dutch in this carrying trade are Havre, Nantes, Bordeaux, Cette, and Marseilles. Havre has an advantage over all the others, from its proximity to the Baltic as well as its situation below the Seine, by means of which all the manufactures of Paris, Rouen, etc., are easily conveyed thither. The cargoes from Havre for Russia consist in fine cloths, linens of Rouen, sugar, coffee, indigo, preserved fruits of all kinds, and of all the manufactures of Paris. Wines are from Bordeaux. The exports from Nantes are nearly the same as those from Havre; Cette and Marseilles may be too distant for us. The greatest navigation between France and this country is from Havre. I have been so particular upon Havre because I suppose Congress would choose to have *one* free port (in virtue of our treaty with France) in or near the Channel, and I have heard Dunkirk talked of; but is it not worth consideration whether a port at the very extremity of the empire can be of equal advantage to that of Havre, which may answer as well for a direct commerce as for this circuitous one, if it should be thought proper to adopt it? By our treaty I am sensible we have a right to demand but *one* free port in France, and that for the purpose of carrying there our own commodities *only*. If we should be held rigidly to this, the appointment of a free port would be of great importance to our interests. If we could obtain more, perhaps Havre, Bordeaux, and Marseilles might be the most advantageous of any three to furnish us at the best rate with the productions and manufactures of the several parts of the kingdom.

I express myself with much diffidence on this subject, because I know that a thousand matters ought to be taken into consideration, many of which are known only to those who have made commerce the business of their lives, in order to form a solid judgment upon it. But if any-

thing I have said may serve as hints which may be improved by others to the general benefit of our country, my purpose will be completely answered.

I have the honor to be, with much esteem and respect, etc.,

FRANCIS DANA.

La Fayette to Livingston.\*

ANTONY, NEAR PARIS, *March 30, 1782.*

DEAR SIR: I have been honored with your letter by the *Hermione*, and have made the best use I could of the intelligence you were pleased to communicate. The sailing of the *Alliance* was unexpected, and I could not improve that opportunity. This letter will be carried by a vessel that is immediately despatched. I shall soon have an opportunity to write by a frigate. Dr. Franklin, whom I have acquainted with the departure of this vessel, has no doubt communicated very important intelligence. Mahon has been taken rather sooner than was expected; the siege of Gibraltar is going on, and some do not consider it impossible that it should fall into the hands of the Spaniards. The taking of St. Kitts was felt in England, the more so as Sir Samuel Hood had given great expectations of preserving the island.

There is a great deal of confusion in England, which their late resolutions clearly prove; many think the loss of the majority is a *finesse* of Lord North; but from later advices it appears there will be a change of ministers. The opposition members do not agree together, and none of them are true friends to America; none of them are wishing for independence; they want to make the best bargain they can, either with France at the expense of America or by satisfying America at the cheapest rate. By Mr. Adams' letters I find Holland is about acknowledging American independence, as far as it will neither cost them blood nor money; but at this period I think it important to obtain such a political advantage.

I beg you will please to communicate the contents of my letter to Congress, as I do not enter into any particulars with the President.

Accept the assurance of the high esteem and most affectionate sentiments with which I am, &c.,

LA FAYETTE.

P. S.—Since writing the above we have just got certain intelligence that Lord North has left his place. It is generally believed he will be replaced by Lord Rockingham.

\* 5 Sparks' Dip. Rev. Corr., 392.

## La Fayette to Washington.\*

ANTONY, *March 30, 1782.*

MY DEAR GENERAL: The sailing of the *Alliance* has been so unexpected, that Mr. Franklin and myself have not been able to send the despatches we intended to forward by that opportunity. There is now a French cutter which has been pretty suddenly sent off to America. I expected to write by a frigate which is to sail in a short time, but can not let this opportunity slip away without having the pleasure to let you hear of my welfare.

The taking of Mahon has occurred sooner than was generally expected. General Murray and General Draper are about to quarrel, as generally happens after a misfortune between British commanders. The siege of Gibraltar is going on. The capture of St. Kitts has been the better felt in England, as, upon a letter from Sir Samuel Hood, the sanguine part of the nation had conceived hopes to preserve this Island. Many provinces in Holland are about to acknowledge American independence. There is a great confusion among the parliamentary part of the British nation. Some are of opinion this is *finesse* a of Lord North, who wishes to throw upon Parliament the blame of having given up their Colonies. It has been long said he would retire; but he has hitherto kept his place, and the opposition members do not even agree together. However, we have just got intelligence that a change of ministry was about to take place.

I have written to Mr. Livingston about negotiations of peace, respecting French money, and Spain, and have requested he will communicate my letter to your excellency. We must not hope for Spanish money, nor, notwithstanding their compliments, for Dutch money.

As to the ideas you gave me in writing, I have represented them in the strongest light imaginable. I had a long conversation with the King of France about it. I had many with the French ministers. They have plans about the West Indies. They also are stopped by Spain, and without Spanish ships I am afraid the British fleet there will somewhat exceed the French ships, or at least be upon a par. Dutch ships are not to be reckoned. To get Spanish ships in America is the great affair. Without it maritime superiority is very difficult, the more so as they are not strangers to some notions about Great Britain, which, however, appear to me far from being settled. Though nothing is fixed upon the aforementioned points, I am inclined to believe in Charlestown rather than in New York. For my part I much prefer the former, but am afraid Spain will offer obstacles. They are always for the West Indies. Had I only to manage the French ministers it would be a much easier task. I think we may hope for operations in September. Many people are of opinion the enemy mean to evacuate New York and Charlestown. For

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\*2 La Fayette's Memoirs, 20.



my part I am not so sanguine, and think it would be a great mistake in us to calculate upon this supposition either in France or in America.

Under present circumstances, my dear General, of foreseen negotiations, or at least possible ones, and the unsettled situation of those I have just now mentioned, I think it consistent with your instructions, and perhaps useful to America, that I should remain some time in Europe, that I may avail myself of circumstances and opportunities. I hope, my dear General, you will approve of my conduct. May I flatter myself that an expectation of being useful has somewhat detained my departure? I shall nevertheless be considered as a candidate for the command of the light infantry; a command which is the utmost of my ambition, and which will not displease that corps. And the moment I cease to be useful, or the moment a determination is taken, I hope to sail for America. I flatter myself the infantry will not be drawn out before I can present myself among the candidates.

There will be a decision before May, and one French ship may carry it immediately for the West Indies, and another do the same for America. I will lose no time.

In the present situation of affairs we must, I think, prepare vigorously, and I hope to fulfil your wishes at least so far as respects Charlestown.

I so perfectly know the sentiments of Congress and those of the nation, that I am sure not only their decisions upon political points, but also the expression of them, will add a new lustre to the idea they have given of their liberality and noble spirit. I am sure, my dear General, that, everything considered, you will find I am much in the right to wait a few weeks and see what turn affairs are taking. To serve our noble cause is the utmost of our ambition, and I will embrace every measure that may be productive of that end.

I will also add, my dear General, that everything I write in this letter being the result of the confidence that has been placed in me, I must write for you alone, and this is as confidential as the most secret parts of our correspondence. Since I left America I received one letter from you by the *Hermione*. I am very happy to hear that a spirit of economy and arrangement is diffused throughout every department, and for many reasons I hope we may have a numerous army for the operations of the campaign.\*

I have been, for a few days, at this country seat, with the Marquis de Castries, who during the holidays comes to take some respite from ministerial cares. We are united by an intimate friendship, and I am happy to find that since he has been at the head of the navy we have had a series of successes. Had it not been for the storm that M. de

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\* This is in reply to a letter of the 4th January, in which General Washington explained fully the situation of America, and insisted on two points—obtaining some pecuniary succor and a naval superiority.—Editor La Fayette's Memoirs.

Guichen met with on his leaving Brest, we should not, independent of the Spaniards, have lost our maritime superiority in the West Indies.

Now, my dear General, I will speak to you of my private concerns. Independent of my situation at court and among private circles, the marks of affection I every day receive from the people at large, render me as happy as I possibly can be. Such influence as I may have will be truly precious to me whenever it can do some little good to our adorable cause. I am perfectly satisfied with the dispositions of this government. Both nations will forever be attached to each other; and I see both are so much the object of British envy and treachery that it will cement among them an eternal amity and alliance.

Madame de la Fayette requests I will present to you her most affectionate and respectful compliments, and also to Mrs. Washington, whom she most fervently prays to make, after the war, a voyage to France, and spend some time in our family, where we should be so very happy to receive you.

I am, etc.,

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Morris to Phelps.\*

OFFICE OF FINANCE, *March 30, 1782.*

SIR: As I promised, during the conference with which you honored me yesterday, to give an answer in writing to the proposition you made in consequence of a resolution passed by the legislature of Massachusetts on the 5th day of this month, I shall now perform that promise, but in doing it I shall think it unnecessary to go into that full detail of reasoning on the subject which took place in conversation between us; and I am the more readily induced to decline this, because you, sir, seemed satisfied of the force and propriety of the reasons urged; wherefore when you come to make the communication to the State your candor will induce, and your abilities enable you, to do me ample justice.

I will therefore content myself with observing that, in all countries engaged in war, experience has sooner or later pointed out contracts with private men of substance and talents equal to the undertaking as the cheapest, most certain, and consequently the best mode of obtaining those articles which are necessary for the subsistence, covering, clothing, and moving of an army. The experience of other countries could not satisfy America. We must have it of our own acquiring; we have at length bought it; but the purchase had nearly been our ruin. I had been long since convinced that nothing could save us but opening all the American ports to unrestrained commerce, all the markets of America to the free sale and purchase of every article of its production and import; and by taking away all restraints on money, leave every individual to judge and act for himself. I labored hard in con-

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\* 6 Sparks' Dip. Rev. Corr., 446.

sequence of this conviction, to introduce such measures into the State, of which I am a member, and finally was happy enough to succeed; the good consequences were immediately seen and felt; the example has been followed, and it is to be attributed to the freedom which we now enjoy, that persons can be found willing to contract for furnishing supplies to the American army.

I have succeeded in obtaining many contracts on very reasonable terms. The saving to the United States thereby is immense, and I am confident that neither the patriot who fills the chair of government, the honorable gentlemen who compose the council, nor those who represent the country of Massachusetts, would wish me to make an engagement which, in partiality to that State, would in its effects destroy a system that has been proved so truly economical. I can not, sir, enter into the engagements proposed by Massachusetts without being exposed to similar claims in twelve others, and I feel the absolute necessity and propriety of declining every application of the kind. The persons who contract with me to supply the armies of the United States must make purchases of the articles necessary; their interests will lead them to those markets which will supply cheapest, however remote from the scene of action, and this will give all the States a fair chance of obtaining money or bank notes through that channel to pay their taxes. Those who will give most labor or goods for money and notes will undoubtedly obtain the greatest share thereof.

I can not quit this subject without observing that taxing in specifics is expensive to the people, cumbersome to the Government, and generally inadequate to the object. I think if every individual in the country is left to dispose as he pleases of his property, and compelled to pay his taxes in money or bank notes, he will satisfy the tax by the sale of much less of that property than in the case of a specific tax taken from him to raise the sum. Nothing could gratify me more than to have an opportunity of evincing to the State of Massachusetts how much I am disposed to comply with her wishes in every instance that my general duty to the United States will permit.

I have the honor to be, &c.,

ROBERT MORRIS.

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Montmorin, French Minister to Spain, to Vergennes.\*

MADRID, *March* 30, 1782.

M. de Florida Blanca was informed, as I have had the honor to tell you, by M. d'Aranda, of the revolution that took place in the Parliament of England. I tried to discover what was the opinion of M. de Florida Blanca on that revolution, and though I am absolutely reduced to conjectures in this respect, I am persuaded that the conditions by no means pleased him.

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\* 3 Circourt's Bancroft, 326.

He told me in the course of our conversation that there was now all the more reason to press more earnestly the preparations for the siege of Gibraltar, and since then orders have been repeated more than once, and it would seem that activity has been redoubled. We then spoke of the Americans, and he told me with a kind of warmth more than once that the Americans would always be English at heart, and that we would have occasion to be convinced of it as soon as their fate should be decided. I answered that I knew very well that one could not count on the gratitude of the United States, but that, however, repeated and recent favors formed ties which it would be at least difficult to break suddenly, and especially at the very period of their enjoyment; that what interests us most at this moment was whether the United States would permit themselves to be seduced by the propositions of England; that these (propositions) no doubt tended certainly to separate them (the Americans) from us, and that once that that power (England) was delivered from the diversion of the Americans it could press war against us with much more success; that such seemed to be the policy of the English opposition, if it succeeded in driving the minister from power, and that even the acting minister might adopt it, if he resisted the attacks the opposition were making. I tried to persuade M. de Florida Blanca that what was best adapted at present to the good of the common cause and to Spain herself was to acquire the rights of gratitude of the United States in according them some help, which, in putting them in a way to continue the war, would banish the idea of making a sudden and unsubstantial peace with England, or would prevent them allowing themselves to be put to sleep by the kind of truce that was offered them.

I insisted on this assistance, because, at the same moment I was conversing with M. de Florida Blanca, the envoys of the Americans were on the point of bankruptcy for about forty or fifty thousand dollars of bills of exchange that had just matured (which they had accepted from the hopes which had been given them, and which they found themselves unable to pay). For a moment I had a hope that they would be relieved from trouble, but their means failed and they were obliged to let these bills go to protest, as I have already had the honor to inform you. Falling back on the six million francs that the king allowed to the United States, M. Franklin has made arrangements to pay what was due here by M. Jay; but the protest was made, none the less, and made all the noise it could. I thought right, monsieur, to report these incidents to you, in making you observe the condition of things and understand the absolute carelessness or even the repugnance of Spain to the establishing the independence of America. If it is so marked now, what will it be when Spain succeeds in taking Gibraltar? Then the war will have no other object than that same independence, which she now regards with so much indifference and perhaps fear. I confess, monsieur, that this idea torments me. I hope

I am mistaken, but I see many difficulties arising to control the operations of the coming campaign, if it takes place, and at least as many to follow the negotiations of peace. Remember, monsieur, that the system of M. de Florida Blanca has always been to make Spain mediator between England and her colonies. He has followed that system with pertinacity. He has never wished to declare himself openly for the United States, and even now he seems to draw himself away from them still more. This conduct seems to me to announce very evidently the desire that England should address herself to Spain to obtain the modifications to the independence of America that will make the sacrifice less hard. It would be superfluous that I should dilate any more on that object, of which you can feel the consequences much better than I.

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J. Adams to Van Bleiswick, Grand Pensionary of Holland.\*

AMSTERDAM, *March 31, 1782.*

SIR: I have received the letter which you did me the honor to write me on the 30th, enclosing the resolution of the States of Holland and West Friesland, taken on the 28th of this month, upon the subject of my admission to the audience demanded on the 4th of May and 9th of January last.

I am very sensible of the honor that is done me by this instance of personal attention to me in their noble and grand mightinesses; and I beg of you, sir, to accept of my acknowledgments for the obliging manner in which you have communicated to me their resolution.

But my sensibility is above all affected by those unequivocal demonstrations which appear everywhere, of national harmony and unanimity in this important measure, which can not fail to have the happiest effects in America and in all Europe, even in England itself, as well as in this republic, and which there is great reason to hope will forcibly operate towards the accomplishment of a general peace.

In the pleasing hope that all the other Provinces will soon follow the examples of Holland and Friesland, I have the honor to be, &c.,

JOHN ADAMS.

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Franklin to J. Adams.†

PASSY, *March 31, 1782.*

SIR: I received yours of the 10th instant, and am of opinion with you, that the English will evacuate New York and Charleston, as the troops there, after the late resolutions of Parliament, must be useless, and are necessary to defend their remaining islands, where they have

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\* 3 Sparks' Dip. Rev. Corr., 5-6; 7 J. Adams' Works, 560.

† 2 Sparks' Dip. Rev. Corr., 239; 9 Sparks' Franklin, 190; 7 Bigelow's Franklin, 425.

not at present more than three thousand men. The prudence of this operation is so obvious that I think they can hardly miss it; otherwise I own that, considering their conduct for several years past, it is not reasoning consequentially to conclude they will do a thing because the doing it is required by common sense.

Yours of the 26th is just come to hand. I thank you for the communication of Digges' message. He has also sent me a long letter, with two from Mr. Hartley. I shall see M. de Vergennes to-morrow, and will acquaint you with everything material that passes on the subject. But the ministry, by whom Digges pretends to be sent, being changed, we shall, by waiting a little, see what tone will be taken by their successors. You shall have a copy of the instructions by the next courier. I congratulate you cordially on the progress you have made among those slow people. Slow, however, as they are, Mr. Jay finds his\* much slower. By an American, who goes in about ten days to Holland, I shall send you a packet of correspondence with Mr. Hartley, though it amounts to little.

With great esteem, I have the honor to be your excellency's most obedient and most humble servant,

B. FRANKLIN.

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Franklin to Hartley.†

PASSY, *March 31, 1782.*

DEAR SIR: I have just received your favors of March the 11th and 12th, forwarded to me by Mr. Digges, and another of the 21st per post. I congratulate you on the returning good disposition of your nation towards America, which appears in the resolutions of Parliament that you have sent me; and I hope the change of your ministry will be attended with salutary effects. I continue in the same sentiments expressed in my former letters; but as I am but one of five in the commission, and have no knowledge of the sentiments of the others, what has passed between us is to be considered merely as private conversation. The five persons are Messrs. Adams, Jay, Laurens, Jefferson, and myself; and in case of the death or absence of any, the remainder have power to act or conclude. I have not written to Mr. Laurens, having constantly expected him here, but shall write to him next post, when I shall also write more fully to you, having now only time to add that I am ever, with great esteem and affection, dear sir, your most obedient and most humble servant,

B. FRANKLIN.

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\*The Spaniard's.

†2 Sparks' Dip. Rev. Corr., 239; 9 Sparks' Franklin, 192; 7 Bigelow's Franklin, 426.



W. Lee to the Secretary of Foreign Affairs.\*

BRUSSELS, *March 31, 1782.*

SIR: Although I have not the honor of a personal acquaintance with you, yet I trust that, this letter being on subjects which concern the interest of our country in general, I shall not stand in need of any apology for writing it.

You will be informed, probably, both by the newspapers and private letters before this gets to your hands, of the late revolution in the British ministry; the old set having given place to a new ministry, composed of the Rockingham, Shelburne, and Grafton parties. This change has been forced on the king very much against his inclination and that of his secret advisers, Lords Bute and Mansfield, by the general exertion of almost the whole body of the people of England, both in and out of the House of Commons, who ardently wish for a peace, especially with America; and it appears that independence will not now be any great impediment, though they will endeavor to barter, as a consideration for acknowledging it, for a beneficial treaty of commerce, the Newfoundland fishery, and some other points.

It seems evidently to be the general wish of the nation that a peace with America should be immediately made almost on any terms, and on that principle it is that they have forced the present ministry into place; but as I am not quite clear that the principles of Lord Shelburne, or those of his friend, Mr. Dunning, are in any manner friendly to America, and the king's inveteracy continuing as great as ever, it is not possible to say how far the negotiations for peace may be traversed and impeded by secret manœuvres and intrigues; therefore, in my opinion, it will be wise in America to be well on her guard, and take her present measures as if the war was yet to continue some years. I have not yet heard of his departure, but the 22d instant was fixed for General Carleton to leave Portsmouth in the *Ceres*, of thirty-two guns, for New York, to take upon him the command in chief in America. The late British ministry died as they lived, for one of their last official acts was to give the traitor Arnold, by patent, one thousand pounds sterling pension per annum for his and his wife's lives.

It has been mentioned to me by a gentleman in the government here that the emperor is disposed to enter into a commercial treaty with America,† and afterwards that a minister or resident from Congress should reside at the court here, this being the principal commercial country belonging to his majesty. Though this communication was not official, yet it appears as if it had been made to me from their knowing that I was formerly a commissioner of Congress at the court of Vienna; therefore I think it my duty to inform Congress of the circum-

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\* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 642, with verbal changes.

† This, however, was an error, the emperor having repelled all approaches to him of this class; refusing to acknowledge the independence of the States until acknowledged by Great Britain.

stance through you, that they may take such measures in it as they think proper.

I will not presume to advise on the propriety or impropriety of appointing a minister to treat with his Imperial majesty, because Congress must be sufficiently informed that the capital manufactures of this country in woollen, linen, cotton, and coarse hats, and the iron and steel manufactures at Liege, will be of great utility at all times in America; and the consumption of tobacco, indigo, rice, furs, skins, and salt fish is not only very considerable in this country, but in the adjacent inland ones, that always draw their supplies through the ports here. I will only venture to say that in my opinion fifteen thousand livres Tournois per annum would be a sufficient appointment for an American minister to reside at this court, for his salary and expenses together. Should such a minister be appointed, his commission should run thus: "To negotiate, agree upon, conclude, and sign a treaty of, &c., &c., &c., between his Imperial and Apostolic majesty Joseph the Second, Emperor of Germany, King of the Romans, of Hungary, Bohemia, &c., &c., &c., and the Congress of the United States of America, and afterwards to reside as minister from the said Congress at the court of Brussels, in the Austrian Netherlands, to transact such affairs as may be given him in charge." I mention this, because there was a capital mistake in the original commission sent me to treat with the court of Vienna, which I took the liberty of pointing out at the time.

You will find enclosed with this a copy of the London Gazette and sentence of the court-martial on Captain Dundass, of the *Boneta*, which prove pretty explicitly a breach of the articles of capitulation at Yorktown by Lord Cornwallis and Captain Symonds. I do not know that the situation of affairs will render it necessary to take notice of this breach on the part of the enemy, but it appears to me proper that Congress should be informed of the fact.

With the highest consideration and respect, I have the honor to be, &c.,

WILLIAM LEE.

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Dumas to Livingston.\*

AMSTERDAM, April 4, 1782.

SIR: The 29th ultimo I had the honor to address you a packet under cover to Dr. Franklin, at Paris, with a short letter, in which I had the satisfaction to commence the honor of my official correspondence with you in congratulating the United States on the acquisition of two illustrious sisters, whose example will be followed by five others, as you will see by the papers annexed.

I congratulate you sir, and myself also, on your elevation to the high

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\* 5 Sparks' Dip. Rev. Corr., 346,

post that you fill, and I recommend my interests and my character to your attention before Congress. I shall communicate to Dr. Franklin the account of my expenses for the pamphlets and other charges, which I have already begun, and which I shall continue to forward to you according to your orders, and I shall draw on him for the amount. I purchased, in February last, for Mr. Adams, and by his order, at a cheap rate, a hotel at the Hague, where we shall live happily together, if God please, the first of next month. This purchase, besides the economy of it, has produced, politically, very good effects. Only France, Spain, and now the United States, possess hotels as their own at the Hague. All the other foreign ministers occupy, at a dear rate, hired hotels.

There is no longer cause to blame the slowness of this nation on our affairs. Its inclination for us, like a spring pressed by a strong hand, is escaping and declares for us nobly, by an accumulation of addresses of corporations, which appear from all parts. I think that before the end of this month Mr. Adams will be admitted to present his letters of credence. I came to him here for a secret transaction concerted with our friends at The Hague, which must make our triumph over Anglomania complete. On his part, he went this morning to confer with the French ambassador at The Hague. He will return here on Saturday, where I shall keep him company till the end of next week. Our sure and permanent address will be, for the future, *à l'Hôtel d'Amérique à la Haie en Hollande*.

I am, sir, &c.,

DUMAS.

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Franklin to Hartley.\*

PASSY, April 5, 1782.

MY DEAR FRIEND: I wrote a few lines to you the 31st past, and promised to write more fully. On perusing again your letters of the 11th, 12th, and 21st, I do not find any notice taken of one from me dated February the 16th. I therefore now send you a copy made from it in the press. The uncertainty of free transmission discourages a free communication of sentiments on these important affairs; but the inutility of discussion between persons, one of whom is not authorised but in conjunction with others, and the other not authorised at all, as well as the obvious inconveniences that may attend such previous handling of points that are to be considered when we come to treat regularly, is with me a still more effectual discouragement, and determines me to waive that part of the correspondence.

As to Digges, I have no confidence in him, nor in anything he says,

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\* 2 Sparks' Dip. Rev. Corr., 240; 9 Sparks' Franklin 194; 7 Bigelow's Franklin, 431.

or may say, of his being sent by ministers.\* Nor will I have any communication with him, except in receiving and considering the justification of himself which he pretends he shall be able and intends to make for his excessive drafts on me, on account of the relief I have ordered to the prisoners, and his embezzlement of the money.

You justly observe in yours of the 12th that the first object is to procure a "meeting of qualified persons," and that you understand the ministry will be ready to proceed towards opening a negociation as soon as the bill shall pass, and therefore it is necessary to consult time and place, and manner and persons, on each side. This you wrote while the old ministry existed. If the new have the same intentions, and desire a general peace, they may easily discharge Mr. Laurens from those engagements which make his acting in the commission improper; and except Mr. Jefferson, who remains in America, and is not expected here, we, the commissioners of Congress, can easily be got together, ready to meet yours at such place as shall be agreed to by the powers at war, in order to form the treaty. God grant that there may be wisdom enough assembled to make, if possible, a peace that shall be perpetual, and that the idea of any nations being natural enemies to each other may be abolished for the honor of human nature.

With regard to those who may be commissioned from your government, whatever personal preferences I may conceive in my own mind, it can not become me to express them. I only wish for wise and honest men. With such, a peace may be speedily concluded. With contentious wranglers, the negociation may be drawn into length, and finally frustrated.

I am pleased to see in the votes and parliamentary speeches, and in your public papers, that in mentioning America the word *reconciliation* is often used. It certainly means more than a mere peace. It is a sweet expression. Revolve in your mind, my dear friend, the means of bringing about this *reconciliation*. When you consider the injustice of your war with us, and the barbarous manner in which it has been carried on, the many suffering families among us from your burning of towns, scalping by savages, &c., &c., will it not appear to you that though a cessation of the war may be a peace, it may not be a reconciliation? Will not some voluntary acts of justice and even of kindness on your part have excellent effects towards producing such a *reconciliation*? Can you not find means of repairing, in some degree, those injuries? You have in England and Ireland twelve hundred of our people prisoners, who have for years bravely suffered all the hardships of that confinement, rather than enter into your service to fight against their country. Methinks you ought to glory in the descendants of such virtue. What if you were to begin your measures of *reconciliation* by

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\* In this Franklin was correct, so far as Shelburne was concerned. But Digges had been employed by Lord North. See Introduction, § 206; and see Digges to Franklin March 22, 1782.

setting them at liberty? I know it would procure for you the liberty of an equal number of your people, even without a previous stipulation; and the confidence in our equity, with the apparent good will in the action, would give very good impressions of your change of disposition towards us. Perhaps you have no knowledge of the opinions lately conceived of your king and country in America. The enclosed copy of a letter will make you a little acquainted with them, and convince you how impossible must be every project of bringing us again under the dominion of such a sovereign.

With great esteem, I am, dear sir, your most obedient and most humble servant,

B. FRANKLIN.

[Shelburne's letter to Franklin of April 6, 1782, is given *infra*, in Franklin's journal, under date of July 1, 1782; and so of Laurens' letter to Franklin of April 7, 1782.]

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Franklin to de Chastellux (in the French service in America).\*

PASSY, April 6, 1782.

DEAR SIR: It gave me great pleasure to hear by the officers returned last winter from your army that you continued in good health. You will see by the public papers that the English begin to be weary of the war, and they have reason, having suffered many losses, having four nations of enemies on their hands, few men to spare, little money left, and very bad heads. The latter they have lately changed. As yet we know not what measures their new ministry will take. People generally think they will be employed by the king to extricate him from his present difficulties, by obtaining a peace, and that then he will kick them out again, they being all men that he abominates, and who have been forced upon him by the Parliament. The Commons have already made a sort of half peace with us Americans, by forbidding their troops on the continent to act offensively; and by a new law they have empowered the king to complete it. As yet I hear nothing of the terms they mean to propose; indeed, they have had hardly time to form them. I know they wish to detach us from France, but that is impossible.

I congratulate you on the success of your last glorious campaign. Establishing the liberties of America will not only make that people happy, but will have some effect in diminishing the misery of those, who in other parts of the world groan under despotism, by rendering it more circumspect, and inducing it to govern with a lighter hand. A philosopher, endowed with those strong sentiments of humanity, that are manifested in your excellent writings,† must enjoy great satisfaction in having contributed so extensively by his sword, as well as by his pen, to the *félicité publique*.

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\* 9 Sparks' Franklin, 198; 7 Bigelow's Franklin, 435.

† His principal work was entitled "*De la Félicité Publique*."—Note by Mr. Bigelow.

M. le Comte de Ségur has desired of me a line of recommendation to you. I consider his request rather as a compliment to me, than as asking what may be of use to him; since I find that all who know him here esteem and love him, and he is certainly not unknown to you.

Dare I confess to you, that I am your rival with Madam G——? I need not tell you, that I am not a dangerous one. I perceive that she loves you very much; and so does, dear sir, yours, etc.

B. FRANKLIN.

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Franklin to Morris.\*

PASSY, April 8, 1782.

SIR: The bills accepted by Mr. Jay, and afterwards protested for non-payment, are come and coming back to France and Holland, and I have ordered them to be taken up and discharged by our banker. I hope none will be returned to America.

There is a convoy just going, and another it is said will follow in about three weeks. By these two I hope the best part if not all our goods will be got out.

Since my last of the 30th past, we hear that the old ministry are all out to a man, and that the new ministry has kissed hands, and were about to enter on their respective functions. As yet we know nothing of their projects. They are all of them men who have in Parliament declared strongly against the American war as unjust. Their predecessors made various separate and private essays to dispose us to quit France, and France to forsake us, but met with no encouragement. Before our friend the Marquis sails we shall probably receive some interesting information, which I shall take care to forward to you.

Our public affairs go on swimmingly in Holland, and a treaty will probably soon be entered into between the two republics. I wish I could give you as good news of our private business. Mr. Barclay is still detained by it and I am deprived of his assistance here.

This will be delivered to you by M. Le Prince de Broglie, who goes to join the army of M. de Rochambeau. He bears an excellent character here, is fond of America and its glorious cause, and will have great satisfaction in fighting for the establishment of liberty. I recommend him earnestly to the civilities which I know you have a pleasure in showing to strangers of merit and distinction.

Your two fine boys continue well. They dine with me every Sunday, being at school in my neighborhood.

With great esteem and regard, I have the honor to be, &c.,

B. FRANKLIN.

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\* Franklin MSS. Dep. of State; 9 Sparks' Franklin, 202; 7 Bigelow's Franklin, 439.



## Franklin to Livingston.\*

PASSY, *April 8, 1782.*

SIR: Since my last an extraordinary revolution has taken place in the court of England. All the old ministers are out and the chiefs of the opposition are in their places. The newspapers that I send will give you the names as correctly as we yet know them. Our last advices mention their kissing hands, but they had yet done nothing in their respective offices by which one might judge of their projected measures, as whether they will ask a peace, of which they have great need, the nation having of late suffered many losses, men grown extremely scarce, and Lord North's new taxes proposed as funds for the loan meeting with great opposition; or whether they will strive to find new resources and obtain allies to enable them to please the king and nation by some vigorous exertions against France, Spain, and Holland.

With regard to America, having while in opposition carried the vote for making no longer an offensive war with us, they seem to have tied their own hands from acting against us. Their predecessors had been tampering with this court for a separate peace. The king's answer gave me great pleasure. It will be sent to M. de la Luzerne, and by him communicated to Congress. None of their attempts to divide us meet with the least encouragement, and I imagine the present set will try other measures.

My letters from Holland give pleasing accounts of the rapid progress our affairs are making in that country. The packet from M. Dumas, which I forward with this, will give you the particulars. The Prince de Broglie will do me the favor of delivering this to you. He goes over to join the French army with the more pleasure as it is employed in the cause of liberty, a cause he loves, and in establishing the interests of America, a country for which he has much regard and affection. I recommend him earnestly to the civilities and services it may be in your power to render him, and I request you would introduce him to the President of Congress, and to the principal members, civil and military.

Our excellent friend the Marquis de la Fayette will sail in about three weeks. By that time we may have more interesting intelligence from England, and I shall write you fully.

With great esteem, &c.,

B. FRANKLIN.

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 J. Adams to Vauguion.†
AMSTERDAM, *April 10, 1782.*

SIR: I have this moment received the letter which you did me the honor to write me yesterday, with a letter enclosed from Dr. Franklin.

The approbation of the Count de Vergennes is a great satisfaction to

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 242.

† 3 Sparks' Dip. Rev. Corr., 596; 7 J. Adams' Works, 567.

me, and I shall be very happy to learn from you, sir, at Amsterdam the details you allude to.

I have a letter from Digges, at London, 2d of April, informing me that he had communicated what had passed between him and me to the Earl of Shelburne, who did not like the circumstance that everything must be communicated to our allies. He says that Lord Caermarthen is to be sent to The Hague to negotiate a separate peace with Holland, but according to all appearances, Holland, as well as America, will have too much discretion to enter into any separate negotiations.

I have the pleasure to inform you that Gillon has arrived at the Havana with five rich Jamaica ships as prizes. M. Le Roy writes that the English have evacuated Charleston.

The enclosed fresh *requête* of Amsterdam will show your excellency that there is little probability of the Dutchmen being deceived into separate conferences.

With the most profound respect and esteem, I have the honor to be, sir, &c.,

JOHN ADAMS.

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Rayneval to Franklin.\*

[Translation.]

VERSAILLES, April 12, 1782.

SIR: I have laid before the Count de Vergennes the different letters which Mr. Hartley had written to you, as well as your proposed reply. The minister has given his entire approbation to the manner in which you have expressed yourself. I subjoin a postscript concerning Mr. Forth.† The Count de Vergennes, who has given it a perusal, finds that you may without impropriety transmit it to your correspondent.

I have the honor to be, sir, with the most sincere attachment, your very humble and obedient servant,

DE RAYNEVAL.

P. S.—Since my letter was written, sir, I have considered anew the different overtures which it embraces. In your opinion, the late English minister sincerely desired a reconciliation with us and proposed with this view a separate peace. At the time you were transmitting this wish of Lord North to me, this ex-minister employed an emissary here to sound the minister of France on the specific disposition of his court and offer very advantageous propositions. You will be able to judge from this, sir, of the opinion which I ought to have of the intention of Lord North and his colleagues. To convince you of the truth of the suggestions which I communicate, I will confide to you that the

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\* 2 Sparks' Dip. Rev. Corr., 244.

† Mr. Forth was a secret agent sent over to France by the British ministry to propose a separate treaty with the French court.

emissary was a Mr. Forth, and that he was charged to reply to the English minister "*that the King of France is as desirous of peace as the King of England; and that he would accede to it as soon as he could with dignity and safety, but it is a matter of the last importance for his most Christian majesty to know whether the court of London is disposed to treat on equal terms with the allies of France.*" Mr. Forth has set out for London with this answer, but it is probable he will not arrive till after the ministers who have sent him have retired from office.

You may, sir, without the least hesitation, make use of these details, if you judge it expedient. They will make known to the minister in place the principles of the court of France, and they will convince him, I hope, that the project of disuniting us will be as illusory as it will prove injurious to us. As to the reply sent by Mr. Forth, I can not foresee (if the new ministers are instructed on this point) in what manner they will think they ought to consider it. If they love peace, as they have persuaded the English nation and all Europe, they need not be embarrassed. France has opened a way in which they can, in my opinion, act without wounding the dignity of their master. If they do not adopt it, they flatter themselves, without doubt, that the chance of war will procure for England the success which heretofore has been denied her; it will be for Providence to crown or frustrate their hopes.

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Franklin to Henry Laurens.\*

PASSY, April 12, 1782.

SIR: I should sooner have paid my respects to you by letter if I had not till lately expected you here, as I understood it to be your intention. Your enlargement gave me great pleasure, and I hope that the terms exacted by the late ministry will now be relaxed, especially when they are informed that you are one of the commissioners appointed to treat of peace. Herewith I send you a copy of the commission, the purport of which you can communicate to the ministers if you find it proper. If they are disposed to make peace with us and our allies at the same time, I will, on notice from you, send to Mr. Jay to prepare for meeting at such time and place as shall be agreed on.

As to our treating separately, and quitting our present alliance, which the late ministry seemed to desire, it is impossible. Our treaties and our instructions, as well as the honor and interest of our country, forbid it. I will communicate those instructions to you as soon as I have the pleasure of seeing you. If you have occasion for money please to acquaint me with the sum you desire and I will endeavor to supply you.

With very great esteem and respect, I have the honor to be, sir, &c.,  
B. FRANKLIN.

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\* 2 Sparks' Dip. Rev. Corr., 243; 9 Sparks' Franklin, 203; 7 Bigelow's Franklin, 441.

Franklin to Livingston.\*

PASSY, *April* 12, 1782.

SIR : Being at court on Tuesday, I learned from the Dutch minister that the new English ministry have offered, through the ministers of Russia, a cessation of arms to Holland and a renewal of the treaty of 1674. M. de Berkenrode seemed to be of the opinion that the offer was intended to gain time to obstruct the concert of operations with France for the ensuing campaign, and to prevent the conclusion of a treaty with America. It is apprehended that it may have some effect in strengthening the hands of the English party in that country and retard affairs a little, but it is hoped that the proposal will not be finally agreed to. It would indeed render the Dutch ridiculous. A, having a cane in his hand, meets his neighbor B, who happens to have none, takes the advantage, and gives him a sound drubbing. B, having found a stick and coming to return the blows he received, A says, "My old friend, why should we quarrel? We are neighbors; let us be good ones, and live peaceably by each other as we used to do." If B is so easily satisfied, and lays aside his stick, the rest of the neighbors, as well as A, will laugh at him. This is the light in which I stated it. Enclosed I send you a copy of the proposition.

I see by the newspapers that the Spaniards, having taken a little post called St. Joseph, pretend to have made a conquest of the Illinois country. In what light does this proceeding appear to Congress? While they decline our offered friendship, are they to be suffered to encroach on our bounds and shut us up within the Appalachian Mountains? I begin to fear they have some such project.

Having seen in the English prints an article from Lisbon, that two American ships, under French colors, being arrived in that port, were seized by the government, I asked the Portuguese ambassador if it was true. He said he had no advice of it, as he certainly should have had if such a thing had happened; he therefore did not give the least credit to it, and said we might make ourselves perfectly easy; no such treatment would, in his opinion, be offered us in their ports; and he further observed, on the falsehood of the English newspapers, their having lately asserted that the Congress had issued letters of marque for cruising against the Portuguese.

With great esteem, &c.,

B. FRANKLIN.

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\*MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 245; 9 Sparks' Franklin, 206; 7 Bigelow's Franklin, 443.

*La Fayette to Washington.\**PARIS, *April* 12, 1782.

MY DEAR GENERAL: However sensible I am that our cause may be better served by my presence here than it could possibly be at this period by my returning to America, I cannot refrain from a painful sentiment at the sight of so many French officers who are going to join their colors in America. I shall, thank God, follow them before any thing passes that may have any danger or any importance; but I am so far from the army, so far from headquarters, so far from American intelligence, that, however happy I am rendered here, I cannot help ten times a day wishing myself on the other side of the Atlantic. This letter, my dear General, is entrusted to Count de Ségur, the eldest son of the Marquis de Ségur, minister of state and of the war department, which in France has a great importance. Count de Ségur was shortly to have a regiment, but he prefers serving in America and under your orders. He is one of the most amiable, sensible, and good-natured men I ever saw; he is my very intimate friend. I recommend him to you, my dear General, and through you to everybody in America, particularly in the army.

A few recruits are going out with this convoy and will be protected by a frigate. They are destined to fill up the regiments, and prove nothing either for or against any operation in the campaign. Mr. Franklin has not been able to procure vessels to take in some stores he has got at Brest. I have requested the Marquis de Castries to let us have what he could spare. It will for this time amount to nothing or very little, but he promised me we should have a thousand tons in the next convoy, and upon the whole I like it better, as the convoy will sail under a better protection and two months before 49 (July).

Enclosed I send you, my dear General, the copy of a letter lately written by a French cutter (author). I have little to add on one article, but that my expectations are increasing about 47 (Charlestown), but Spain will insist upon 26 (West Indies). We expect intelligence about what they mean at least to do in every quarter with Spanish ships, upon which I will conclude with the King of France and his ministers. I do not forget French money; the moment I know better one of the French ships will let you have a full account.†

The new ministry have not as yet done anything of importance. As Holland was about acknowledging independence England has endeavored to draw away their intention from it, and has proposed peace to them under the mediation of Russia. Nothing as yet is finally settled. I hope we may then get the better of British cabals. I have

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\* 2 Memoirs of La Fayette, 25.

† The important information of this part of the letter is written in cipher. Thus 60 signifies the King of France; 47, Charlestown, &c.—[ED. LA FAY. MEM.]

requested Mr. Livingston to communicate a few words I have written in cipher upon political subjects.

Admiral Barrington, with twelve ships of the line, is to go out and his destination has been kept very secret; some people imagine he is going to take away the troops from New York and Charlestown, which it is not much in their power to reinforce. It was said Lord North was rather glad of an opportunity to leave the helm at so critical a period, and would not have his name affixed to a disadvantageous peace.

Mr. Laurens is in England upon his parole. I intend writing this day to him by a private opportunity and will advise him if possible to get a permission to go out of Great Britain. I wish he was in France, where if exchanged he might confer with the other commissioners upon the affair of peace.

I beg, my dear General, you will present my best respects to Mrs. Washington. Madame de La Fayette, your son George, and my daughter join in the most affectionate compliments to you and to her. Remember me, my dear General, most tenderly to the family and the gentlemen of the army.

Most respectfully, I have the honor to be, yours, &c.

Luzerne to Washington. \*

[Translation.]

PHILADELPHIA, *April* 13, 1782.

SIR: I embrace the first moment after my return from Virginia to comply with the request of the principal officers of our army in tendering you their sincere respects.

I have already forwarded to your excellency a letter from Count de Rochambeau; on my return here I found letters from my court dated in February last. They do not announce anything pacific on the part of our enemies. No progress is made in the mediation of the courts of Vienna and Petersburg, and the court of London seems determined to risk the event of another campaign, in which they will employ all the strength they have left. The plan for the campaign was not yet finally decided, it depending on some arrangements which were yet to be made with the court of Madrid, and on some advices which were expected from the Antilles. It nevertheless seemed to be the intention to act vigorously for the assistance of the United States, and though no particular assurances could be given me on this head, yet from what they write me it is probable that New York or Charleston, or perhaps both, will be the object of their efforts next campaign.

I think it, however, proper to inform you that at the same time they announce to me their general views they observe that it is an un-



happy circumstance that the American army is so weak as it is, and they seem to fear that it will not be in a condition to second their efforts when it shall be necessary to strike a decisive stroke, or to undertake operations in which such extensive means are required as in a siege.

I beg your excellency would enable me to give my court the necessary information on a matter so important as this is. I am not curious to know any of the particular details relative to your army which it may be necessary to keep secret, but the military operations of France and America are so intimately connected that it is indispensable for us to know what is the actual force and means which you have in order to calculate with any degree of probability what enterprises can be undertaken. Our ignorance in this respect cannot but be very prejudicial to our affairs, because if from false information we consider your army is weaker than it really is, it will prevent our forming plans which it would be possible to execute; and if, on the contrary, we are led to believe it stronger than it really is, we run the risk of forming plans impracticable in their execution. It is from these considerations that I beg of you to confide to me such information on this head as you may think proper, both with respect to the actual force you have at the different parts of the continent, and what it will probably be in the course of the campaign. It is equally interesting to know the force of the enemy, both in regulars and militia. I beg you to rest assured of the discretion with which I shall make use of these communications.

I can not refuse myself the pleasure of communicating to you the sentiments with which our court and the nation at large are inspired from the reports of the French officers respecting your excellency on their return to Versailles. Their testimony could add nothing to the universal opinion of the great services you have rendered your country, but to the esteem and admiration of the French is now added as entitlement of affection and attachment which is the just return for that attention which our military experienced from you and the progress they made in their profession by serving under your orders.

I have the honor to be, &c.,

LUZERNE.

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Franklin to Hartley.\*

PASSY, April 13, 1782.

DEAR SIR: Since mine of the 5th I have thought further of the subject of our late letters. You were of opinion that the late ministry desired *sincerely* a reconciliation with America, and with that view a separate peace with us was proposed. It happened that at the same time Lord North had an emissary here to sound the French ministers with regard to peace, and to make them very advantageous propositions in case they would abandon America. You may judge from

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\* 2 Sparks' Dip. Rev. Corr., 246; 9 Sparks' Franklin, 208; 7 Bigelow Franklin, 446.

hence, my dear friend, what opinion I must have formed of the intentions of your ministers. To convince you of the truth of this, I may acquaint you that the emissary was a Mr. Forth, and that the answer given him to carry back to the English ministers was, "*that the King of France is as desirous of peace as the King of England, and that he would accede to it as soon as he could with dignity and safety : but it is a matter of the last importance for his most Christian majesty to know whether the court of London is disposed to treat on equal terms with the allies of France.*"

Mr. Forth went off with this answer for London, but probably did not arrive till after the dismissal of the ministers that sent him. You may make any use of this information as you judge proper. The new ministry may see by it the principles that govern this court; and it will convince them, I hope, that the project of dividing us is as vain as it would be to us injurious. I can not judge what they will think or do in consequence of the answer sent by Mr. Forth, if they have seen it. If they love peace, as they have persuaded the English nation and all Europe to believe, they can be under no difficulty. France has opened a path which, in my opinion, they may use without hurting the dignity of their master or the honor of the nation. If they do not choose it, they doubtless flatter themselves that a war may still produce successes in favor of England that have hitherto been withheld. The crowning or frustrating such hopes belongs to Divine Providence; may God send us all more wisdom.

I am ever, my dear friend, yours most affectionately,

B. FRANKLIN.

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Franklin to J. Adams."

PASSY, April 13, 1782.

SIR: Enclosed with this I send to your excellency the packet of correspondence between Mr. Hartley and me, which I promised in my last. You will see that we held nearly the same language, which gives me pleasure.

While Mr. Hartley was making propositions to me, with the approbation or privity of Lord North, to treat separately from France, that minister had an emissary here, a Mr. Forth, formerly a secretary of Lord Stormont, making proposals to induce this court to treat without us. I understand that several sacrifices were offered to be made, and among the rest Canada to be given up to France. The substance of the answer appears in my last letter to Mr. Hartley. But there is a sentence omitted in that letter which I much like, viz: "*That whenever the two crowns should come to treat, his most Christian majesty would show how much the engagements he might enter into were to be relied on by his exact observance of those he already had with his present allies.*"

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\* 2 Sparks' Dip. Rev. Corr., 247; 9 Sparks' Franklin, 210; 7 Bigelow's Franklin, 448.

If you have received anything in consequence of your answer by Digges, you will oblige me by communicating it. The ministers here were much pleased with the account given them of your interview by the ambassador.

With great respect, I am, sir, your excellency's, &c.,

B. FRANKLIN.

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**Carmichael to Livingston.\***

No. 5.

MADRID, *April* 14, 1782.

SIR: A violent defluxion of the eyes, which was epidemical here this winter, incapacitated me for near three weeks after the date of my last from writing, and the perplexed and uncertain situation of our affairs here for some time past induced me not to do myself the honor of addressing you until I could inform you in what manner our difficulties were like to have a period. Indeed, during this interval my time was so much engaged by the bills of exchange accepted by Mr. Jay, and the conversations I held with, and the visits I was obliged to make to, the various persons interested in this affair, that I had very little leisure left for other occupations.

On the 27th of February I expressed my apprehensions for the fate of our accepted bills, although I could not but hope that either this court or that of France would interfere in time to relieve us from this cruel mortification. Whether this court withheld its aid from expectation that the French ambassador was secretly instructed to assist us as on a former occasion, in case of extreme necessity; whether their wants, which are pressing, occasioned their indecision; or whether it was produced by the secret influence and artifices of ill-disposed persons, I will not pretend to say; but the fact is, that notwithstanding the frequent representations of Mr. Jay, and the as frequent good offices of the French ambassador, the minister did not, until the day before Mr. Jay found himself under the absolute necessity of protesting the bills, authorise verbally the Count de Montmorin to inform Mr. Jay that if M. Cabarrus persisted in his former intentions of making the necessary advances, he would see him repaid in ten or twelve months, to the amount of forty or fifty thousand current dollars. It must be observed that this consent was given the day after M. del Campo had been informed by M. Cabarrus, at his own house, of the terms on which he would make the advances in question. These terms were different from those he had frequently repeated to Mr. Jay and myself, and which Mr. Jay made known to the minister; but I believe his conversations with the latter had excited apprehensions of his not being reimbursed even in the time he had originally proposed.

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 83, with verbal changes.

These apprehensions were augmented by finding that the French ambassador was not authorised to extricate us from our distress, although the court of France was apprized of our situation. I early remarked these fears, and endeavored to remove them by every means in my power. I was clearly of opinion, however, that after the conversation above mentioned with M. del Campo, no reliance could be placed on his assistance for our relief, and informed Mr. Jay of my conjectures on this subject, as I had done from the first moment I discovered M. Cabarrus' fears and apprehensions. This disappointment constrained Mr. Jay to protest a number of bills, some of which the holders had the complaisance and indulgence to keep by them near three weeks, in order to give time to Mr. Jay to make arrangements for their payment. Indeed, the whole commercial interest here behaved in a manner that scarce could be expected from persons who have so little connexion with our country, and expressed their indignation and astonishment that the court should expose to this mortification for a sum so trifling, a country united with them against a common enemy. The foreign ministers were not less surprised, and this incident, I believe, furnished materials for their despatches at the time, and has occasioned much conjecture since.

A letter from Dr. Franklin, authorising Mr. Jay to draw upon him for the payment of the bills he had accepted, soon re-established our credit to the general satisfaction of everybody who have no political connexions to influence their opinions, and the news from England of the address of the House of Commons to the King, to put an end to offensive operations in America, and of the general fermentation in Ireland, will probably give a more favorable aspect to our affairs here, as has been the case elsewhere. Courier after courier arrived from the Count d'Aranda, the Spanish ambassador at Paris, and several cabinet councils were held immediately after their respective arrivals. Each of these couriers announced the various appearances of a change in the British cabinet, and probably gave some intelligence of the overtures from Great Britain made to Dr. Franklin [and if I am rightly informed, to Mr. Adams].\*

The flattering prospects of our affairs in Holland may contribute also to accelerate the conduct of others with respect to the United States. The minister promised Mr. Jay some time ago that the conferences with M. del Campo, on the subject of a treaty, should positively take place at Aranjues, and the actual crisis of affairs renders it probable that more reliance may be placed on this than on former assurances; but after the experience we have had of the dilatoriness of this court, I cannot flatter myself that the treaty will be very speedily concluded, for I have been led to resume my former opinion that this court has wished, and still desires, to delay the acknowledgment of our independence until a general treaty for peace shall take place. The Dutch min-

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\* Passage in brackets omitted in Sparks' ed.

ister sent for me directly after receiving advice that Friesland had resolved to admit Mr. Adams in a public character, and told me he had not the least doubt of the other Provinces doing the same. Indeed, I heard extracts of letters read from persons of high repute in that republic, who speak of this affair as a matter determined, and which will meet with no other obstruction than what arises from the usual formalities and delays in the constitution of that republic. The Swedish minister daily expects news from his court, which he tells me he hopes will prove agreeable.

These changes in the political situation of the United States and Great Britain, I believe, are not seen by Russia and Denmark with pleasure, if I may be allowed to form conjectures from the conduct and sentiments of their respective ministers here, who cannot conceal their chagrin on the reception of any news favorable to France, Spain, or America. Indeed, most of the neutral nations seem to have a particular aversion to this court, excited, as they say, by its conduct with respect to the capture and detention of their vessels. As I have an opportunity of seeing themselves, or their secretaries, very often, and am on an intimate footing with all the latter, I am frequently a witness of their complaints and murmurs. Congress need not, therefore, conclude that their inattention to Mr. Jay's memorial is pointed, or a proof of its ill will, for I have seen near eighty memorials from a minister more nearly connected with them than we are, few of which have been attended to.

The capture of a Danish vessel laden with powder and artillery, with two king's officers on board, and instructions from the admiralty, has excited the clamors of the Danish minister here, who despatched a courier to Copenhagen on the occasion. I am promised a state of the case presented by the minister above mentioned to those of the armed neutrality, and copies of two letters from the Count de Florida Blanca, one to the Danish minister, and the other to the neutral ministers here, which, if obtained, shall accompany this letter.

Great preparations are making for the siege of Gibraltar. The Duc de Crillon is to command in chief, and it is said will have under his orders from twenty-five to thirty-two thousand men, including the French troops at Mahon; the place is to be attacked by sea and land, and I hear twelve ships are bought by government to be fitted up and serve as floating batteries. This operation will probably commence in July, a month favorable for it on account of the calms which then prevail. The loan proposed by this court in Holland is not like to meet the expected success. The armaments they have equipped and are equipping, and the expensive preparations for the siege of Gibraltar, straiten them exceedingly for funds. The difficulties they encounter in procuring money, and the alarming state of their colonies, may probably dispose them to peace the end of the present campaign, but it is likely their claims will be great, and thought extravagant by all the neutral nations.

I have frequently mentioned the reports of disturbances in their colonies. It is difficult to obtain accurate information on this subject. The king has certainly ratified a convention made with the malcontents at Santa Fé and in its neighborhood, which was transmitted by the ecclesiastical, civil, and military officers, with their advice to accord all the demands therein contained, as the only means to prevent the total revolt of these provinces. I have reason to believe this ratification was made with great reluctance. I am also promised a copy of this convention, which I shall forward with this letter, if obtained in time.

The papers are full of the Pope's voyage to Vienna. The Imperial secretary here assures me that the Emperor will not recede from the plans of reformation he has adopted. Some persons having suggested to him that fanaticism might possibly endeavor to put a period to his projects by assassination, he replied that he had no apprehensions on that score, for his brother's firmness and sentiments being known to be the same, nothing could be hoped from a single assassination. He is regarded here and in Portugal as a heretic; and if his sight should be affected by the defluxion on his eyes at present, this misfortune will be regarded as a punishment from Heaven, inflicted on him for his encroachments on the church. As I know you will receive ample details of all that regards the mission here from Mr. Jay, I confine myself to a very summary detail on the subject, in order to supply, in a small degree, the loss or delay of his more important despatches. With a sincere wish that my intentions may be acceptable to Congress,

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

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APRIL 29, 1782.

P. S.—The enclosed papers are copies of the letters herein mentioned. Duplicates have been already sent with their translations. The despatches of Mr. Jay have taken up so much of my time for three weeks past that it has not been possible for me to make out copies of the translations for Major Franks, the bearer of the present; and the great earnestness with which Mr. Jay desires to send him away prevents my sending the copy of the state of the case, and the convention made with the disaffected in Spanish America. Mr. Jay's information is so explicit that it leaves but little for me to add, which I shall do this week via Cadiz.

W. C.



## Morris to the Governors of the States.\*

OFFICE OF FINANCE, *April* 15, 1782.

SIR: In a circular letter which I had the honor to address to your excellency on the 9th day of last month, you were informed that the United States in Congress had, on the 20th and 27th of February, passed acts for settling and finally adjusting all the public accounts; and that those acts would have been transmitted immediately, but that I was induced to wait the event of some additional propositions upon that subject which were then before Congress.

As I now discover that those propositions meet with much greater delay than at that time was expected, and as it is still uncertain when they may be decided upon, I think it improper to detain longer the acts that were passed, although several considerations induced a desire to have the whole system communicated to the several assemblies at one and the same time.

You will observe, sir, that it is earnestly recommended to the several legislatures duly to empower and authorize the United States in Congress assembled, to make a final settlement of the proportions to be borne by each respective State of the general expenses of the war, from the commencement thereof until the 1st day of January, 1782. An immediate compliance with this recommendation is of infinite importance to the Union, as it is also to each of the States. No determination of quotas which Congress can at this time possibly make will create a difference for or against any State equal to the expense which will arise either by disputing its quota or by delaying to have it fixed. If Congress are now empowered, they must be determined by general principles; and if the decision is delayed ever so long, general principles must at last be resorted to, and that after large sums shall have been expended by each of the governments in attempting to ascertain their respective numbers of inhabitants, value of property, quantity of lands, annual income, &c. The returns on these points severally can not be made with certainty and exactitude *as to the time past*, and therefore, they will only afford more ample field for disputation; disputes, which if the cause be not removed by a compliance with the present requisition, may probably deprive us of the blessings of peace after the war with Great Britain shall cease.

I do not think it necessary to detail the reasons which induced Congress to adopt this measure, but I can not help observing that it is to the want of a decision on this point that the languor and want of exertion of the several States are to be attributed. That fatal assertion that each has done most, which each has made and repeated until it has gained but too much credit, would never have obtained a place in the minds of men who really love their country and cause, had the requisitions of Congress been made annually for money, and the

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\* 6 Sparks' Dip. Rev. Corr., 448.

quotas fixed finally at the date of the demand. The compliances of each would, in that case, have determined their respective merits or demerits; we should then have seen a competition the very reverse of that which has for some time past prevailed; and it is not yet too late. Let us settle the accounts of the past expenditures, adjust the shares which each State has to pay, but let the settlement be final, or we do nothing. And if on the requisition of men and money for this and for future years the quotas be finally fixed, and the compliances be made publicly known, we shall banish that distrust which, I am sorry to say, now exists between the States, and in place thereof excite the noble ardor which animated our conduct in the commencement of the contest. The strife will then be which shall be foremost in contributing their share to the support of that war on the success of which depends the political existence of all.

A desire to name commissioners of approved abilities and character has induced me to delay such nominations until I can obtain information of suitable persons from each State. I shall very soon proceed in this business, in such manner as to me shall seem most likely to obtain honest, impartial, and equitable settlements of the public accounts.

I have the honor to be, sir, &c.,

ROBERT MORRIS.

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[Franklin's letter of April 15, 1782, to Vergennes, is given *infra*, in Franklin's Journal, under date of July 1, 1782.]

Rochambeau to Luzerne.\*

WILLIAMSBURGH, April 16, 1782.

I send you under a flying seal, my dear Chevalier, the letter I have written to M. de Guerny, commanding the *Emerald* frigate. You will observe that I am yet in a state of ignorance, not having received my ministerial despatches. It is of the greatest consequence that this letter should be forwarded by a safe route, through the hands of General Washington, that it may be despatched as quick as possible.

Our last news from Edenton is of the 8th of April, by a captain of a vessel who left Georgetown the 25th of March. The enemy employ all the wagons of Charleston in transporting their stores on board the empty vessels which came from New York.

I think General Washington would do well to have all the works levelled which we made at Rhode Island round Newport, and even the fort on Butt's Hill, if he has not troops vigorous and firm to keep possession of it.

The plans of the enemy seem to give their marine all the superiority they can in these seas. I think they must have it much at heart to

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 55.

reoccupy the port of Rhode Island. The port of New York being precarious, the entry depending on the tides, they run the greatest risks in their naval combats in not having a port where they can take refuge at all times.

I have not time to translate this into English. I beg you to transmit it to our General, as well as that for M. de Guerny, that he may forward it with the greatest despatch.

I submit, with reason, all my reflections on Rhode Island to him. I have always in mind Lord North's speech, and the news which seemed to follow of the pretended evacuation of Charleston.

Count Ferson sets off to meet my despatches; he tells me that there is a detachment of about one hundred men which might be employed jointly with the militia in levelling the works.

ROCHAMBEAU.

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[J. Adams' letter to Franklin of April 16, 1782, is given *infra*, in Franklin's Journal, under date of July 1, 1782.]

Morris to Appleton.\*

OFFICE OF FINANCE, *April* 16, 1782.

SIR: I am indebted for your letters of the 14th and 28th of last month. Having personally a great regard for your governor, it gives me pain to disapprove of any of his measures, and probably he never could have given cause for blame by any delay of the impost law had he considered how many widows and orphans, as well as other deserving persons, friends to their country and its cause, are deprived of the means of comfortable subsistence by being kept out of that interest which is so justly their due, and which the revenue to be raised in consequence of that law was intended to discharge.

I know he has a benevolent heart; I know that he is generous; and principles of justice will always have their proper influence over him. I beg you will remind him that his generosity, humanity, and justice are all concerned in promoting the establishment of permanent revenues sufficient to discharge the interest of our public debt. Nay, more; the political existence of America depends on the accomplishment of this plan. We cannot be called a nation nor do we deserve to be ranked amongst the nations of the earth until we do justice to those who have served and trusted us. A public debt, supported by public revenue, will prove the strongest cement to keep our Confederacy together. Sound policy would also dictate that we should do justice to those who have trusted us, in order that we may have pretensions to credit in the future. We might, then, tax the present race of citizens six pounds, instead of a hundred, and leave posterity to pay the principal of a debt contracted in consequence of our distresses and necessities,

but from which they will derive ease and emolument. I could say a great deal more on this subject and probably shall to the world at large, if the just measures of Congress continue to meet with such ill-judged opposition.

I am, dear sir, &c.,

ROBERT MORRIS.

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Morris to Franklin.\*

OFFICE OF FINANCE, *April 17, 1782.*

SIR: In consequence of the communications made to me by his excellency the Chevalier de la Luzerne since his return from Virginia, I shall proceed to draw bills upon Mr. Grand to the extent of five hundred thousand livres monthly; so that, computing the months of January, February, March, and April, I have now to draw for two millions of livres, as I hope and expect that the five hundred thousand livres already drawn may be provided for out of the balance due on the Dutch loan. This supply comes most seasonably, and at a more leisure moment you will be charged with the proper acknowledgments to the court. I must, however, repeat that the sum requested for the service of this year will be necessary to enable me to support the campaign and perfect my arrangements; it will be my constant study to draw forth our own resources and lessen our demands on France, but these things require time.

I find it will be advantageous to draw upon Holland and Cadiz as well as on Paris, and therefore I request that you will desire Mr. Grand to give immediate orders to Messrs. Fizeau, Grand & Co., in Amsterdam, to honor any bills I may draw on them, with directions to take their reimbursements on him for account of the United States. He must also give similar orders to Messrs. Harrison & Co., of Cadiz, and I will furnish Mr. Grand with regular advice of every bill I draw, whether on himself or either of those houses: My bills in the whole will not exceed the sums to which I am limited, and the commission those houses charge will be paid by Mr. Grand. I expect it will not exceed a half per cent., respecting which I shall write to them. I am induced to draw on those places because the sale of bills will thereby be extended and the price better supported.

I have the honor to be, &c.,

ROBERT MORRIS.

Livingston to John Paul Jones.\*

PHILADELPHIA, *April 17, 1782.*

SIR: I enclose an extract from a protest made by Captain A. de Neef, commanding the brigantine *Berkenbosch*, which has been transmitted to Congress, and by them to me, in order that I might inquire into the facts therein alleged. I must beg the favor of you to state them to me as far as they come within your knowledge in order that measures may be taken to vindicate your reputation and that of the American flag, if, as I presume, the charges are ill founded, or to repair any injury which you may undesignedly have occasioned him.

Complaints have been made to Congress by officers and men who formerly belonged to the crew of *Bon Homme Richard* and the *Alliance* frigate of their not having yet been able to obtain the share of prize money due to them; in consequence of which Congress have directed me to draw a memorial to the court of France praying its interposition in obtaining justice for them. As this whole business, as far as I can collect from the *concordat* entered into by you and the gentlemen commanding the other vessels under your command, appears to have been a private transaction, I am at a loss upon what to ground an application to the court, more particularly as neither of the parties have as yet called upon this office with proof of their having applied to M. Chaumont or been denied justice by him. You will oblige me by giving me all the light in your power upon this subject, if possible, by the next post.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Luzerne to Livingston.†

[Translation.]

PHILADELPHIA, *April 17, 1782.*

SIR: I have repeatedly applied to the Department of War to have a settlement made of the accounts of M. de la Radière, an officer of engineers, and General Baron de Kalb, both of whom died in the service of the United States.

I have been answered, in the absence of General Lincoln, that the demands which I made by order of my court, for the benefit of their heirs, were just; but as yet no money has been paid to me, and I therefore entreat you to be pleased to procure it as soon as possible. I have received several letters from the family of Baron de Kalb, and I wish to be able to send them a satisfactory answer. General Lincoln having returned, I hope that these two affairs will suffer no delay.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 173, with verbal changes.

† 6 Sparks' Dip. Rev. Corr., 53.

The Count de Barras also demanded, in the month of July of last year, the payment of the sums due to the volunteers who have served on board the *Ariel*, Captain Paul Jones; and on leaving the Chesapeake he has renewed his demands in order that this money may be sent to France, where it will be paid to those to whom it belongs. This debt amounts to four thousand one hundred and ninety-seven livres Tournois, not including the sum of one thousand one hundred and fifty-one livres, which has been paid to Joseph Caron, François Marais de Tulipe, Joseph Powaruce, and Paterne Jean, who were on board the *Hermione*. Congress, by a resolution the date of which I can not recollect, last year ordered the whole of this sum to be paid. I entreat you, sir, to be pleased to persuade the board of admiralty to bring this affair to a close, and to transmit this sum to his majesty's consul, that he may send it to those to whom it is due.

I have the honor to be, &c.,

LUZERNE.

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[Franklin's letter to Shelburne of April 18th, 1782, is given *infra*, in Franklin's Journal, under date of July 1, 1782.]

Luzerne to Washington.\*

[Translation.]

PHILADELPHIA, April 18, 1782.

SIR: On my return to this place Count Beniowsky delivered to me a plan which he wished to have communicated to your excellency before your departure from Philadelphia, but, as he was particularly recommended to me by my court, he deferred taking that step till my arrival. He will not make any proposition to Congress without first consulting your excellency and obtaining your approbation, and it is with this view he now goes to the army.

I need not recall to your excellency's mind the services and actions which have recommended Count Beniowsky. His fervor you are acquainted with, and I am persuaded that if you think he can be useful to the United States no one will more sincerely support him in carrying into execution those views which brought him to this continent.

I have the honor to be, &c.,

LUZERNE.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 56.



Thomas S. Lee to Livingston.\*

ANNAPOLIS, IN COUNCIL, *April* 19, 1782.

SIR: We have been duly honored with your several letters of the 12th of November, 1781, and the 18th and 19th of February, 1782, which shall be laid before our assembly at their meeting the 25th of the present month, when, we doubt not, their very important contents will meet with the consideration they so well deserve.

Whenever we are possessed of any thing in which the United States are materially interested, we shall with great pleasure communicate it.

The document you require, in consequence of the resolution of Congress, No. 3, enclosed in the letter of the 18th of February, shall be properly authenticated, and transmitted as soon as the whole can be collected.

We have the honor to be, &c.,

THOMAS S. LEE.

J. Adams to Livingston.†

AMSTERDAM, *April* 19, 1782.

SIR: I have the honor to transmit you the following resolutions of the respective Provinces relative to my admission in quality of minister plenipotentiary, together with two resolutions of their high mightinesses upon the same subject, all in the order in which they were taken:

FRIESLAND.

[Extract from the registry book of the lords the States of Friesland.]

The requisition of Mr. Adams for presenting his letters of credence from the United States of North America to their high mightinesses having been brought into the assembly and put into deliberation, as also the ulterior address to the same purpose, with a demand of a categorical answer made by him, as is more amply mentioned in the minutes of their high mightinesses of the 4th of May, 1781, and the 9th of January, 1782, whereupon, it having been taken into consideration that the said Mr. Adams would have, probably, some propositions to make to their high mightinesses, and to present to them the principal articles and foundations upon which the Congress on their part would enter into a treaty of commerce and friendship, or other affairs to propose, in regard to which despatch would be requisite—

It has been thought fit and resolved to authorize the gentlemen the deputies of this Province at the Generality and to instruct them to direct things at the table of their high mightinesses in such a manner that the said Mr. Adams be admitted forthwith as minister of the Congress of North America, with further order to the said deputies that if there should be made, moreover, any similar propositions by the same to inform, immediately, their noble mightinesses of them. And an extract of the present resolution shall be sent them for their information, that they may conduct themselves conformably.

Thus resolved, at the Province House, the 26th of February, 1782.

Compared with the aforesaid book, to my knowledge.

A. J. V. SMINIA.

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 174, with verbal changes.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 597.

## HOLLAND AND WEST FRIESLAND.

[Extract of the resolutions of the lords the States of Holland and West Friesland, taken in the assembly of their noble and grand mightinesses, Thursday, March 28, 1782.]

Deliberated by resumption upon the address and the ulterior address of Mr. Adams, made the 4th of May, 1781, and the 9th of January, 1782, to the president of the States-General, communicated to the assembly the 9th of May, 1781, and the 22d of last month, to present his letters of credence, in the name of the United States of America, to their high mightinesses, by which ulterior address the said Mr. Adams has demanded a categorical answer that he may acquaint his constituents thereof; deliberated also upon the petitions of a great number of merchants, manufacturers, and others, inhabitants of this Province, interested in commerce, to support their request presented to the States-General the 20th current, to the end that efficacious measures might be taken to establish a commerce between this country and North America, copies of which petitions have been given to the members the 21st; it has been thought fit and resolved that the affairs shall be directed on the part of their noble and grand mightinesses, at the assembly of the States-General, and that there shall be there made the strongest instances that Mr. Adams be admitted and acknowledged as soon as possible by their high mightinesses in quality of envoy of the United States of America. And the counsellor pensionary has been charged to inform, under his hand, the said Mr. Adams of this resolution of their noble and grand mightinesses.

## ZEALAND.

[Extract of the resolutions of their high mightinesses the States-General of the United Provinces, Monday, April 8, 1782.]

The deputies of the Province of Zealand have brought to the assembly and caused to be read there the resolution of the States of the said Province, their principals, to cause to be admitted as soon as possible Mr. Adams, in quality of envoy of the Congress of North America, in the following terms:

Extract from the register of the resolutions of the lords the States of Zealand, April 4, 1782.

It has been thought fit and ordered that the gentlemen the ordinary deputies of this Province at the Generality shall be convoked and authorized, as it is done by the present, to assist in the direction of affairs at the assembly of their high mightinesses in such a manner that Mr. Adams may be acknowledged as soon as possible as envoy of the Congress of North America; that his letters of credence be accepted, and that he be admitted in that quality according to the ordinary form, enjoining further upon the said lords the ordinary deputies to take such propositions as should be made to this republic by the said Mr. Adams, for the information and the deliberation of their high mightinesses, to the end to transmit them here as soon as possible. And an extract of this resolution of their noble mightinesses shall be sent to the gentlemen their ordinary deputies to serve them as an instruction.

J. M. CHALMERS.

Upon which having deliberated it has been thought fit and resolved to pray, by the present, the gentlemen the deputies of the Provinces of Guelderland, Utrecht, Groningen and Ommelanden, who have not as yet explained themselves upon this subject, to be pleased to do it as soon as possible.

## OVERYSSEL.

[Extract from the register of the resolutions of the equestrian order, and of the cities composing the States of Overysse, Zwoll, 5th April, 1782.]

The Grand Bailiff de Sallande and the other commissions of their noble mightinesses for the affairs of finance, having examined, conformably to their commissorial resolution of the 3d of this month, the addresses of Mr. Adams, communicated to the

assembly the 4th of May, 1781, and the 22d of February, 1782, to present his letters of credence to their high mightinesses in the name of the United States of North America, as well as the resolution of the lords the States of Holland and West Friesland, dated the 28th of March, 1782, carried the 29th of the same month to the assembly of their high mightinesses, for the admission and acknowledgment of Mr. Adams, have reported to the assembly that they should be of opinion that the gentlemen the deputies of this Province in the States-General ought to be authorized and charged to declare in the assembly of their high mightinesses that the equestrian order and the cities judge that it is proper to acknowledge, as soon as possible, Mr. Adams in quality of minister of the United States of North America to their high mightinesses. Upon which having deliberated the equestrian order and the cities have conformed themselves to the said report.

Compared with the aforesaid register.

DERK DUMBAR.

#### GRONINGEN.

[Extract from the register of the resolutions of their noble mightinesses the States of Groningen and Ommelanden, Tuesday, 9th of April, 1782.]

The lords the States of Groningen and Ommelanden having heard the report of the gentlemen the commissioners for the petitions of the council of state and the finances of the Provinces, and having carefully examined the demand of Mr. Adams to present his letters of credence from the United States of North America to their high mightinesses, have, after deliberation upon the subject, declared themselves of opinion that, in the critical circumstances in which the republic finds itself at present, it is proper to take, without loss of time, such efficacious measures as may not only repair the losses and damages that the kingdom of Great Britain has caused in a manner so unjust and against every shadow of right to the commerce of the republic, as well before as after the war, but particularly such as may establish the free navigation and the commerce of the republic for the future, upon the most solid foundations, as may confirm and reassure it by the strongest bonds of reciprocal interest, and that in consequence the gentlemen the deputies at the assembly of their high mightinesses ought to be authorized on the part of the Province, as they are by the present, to admit Mr. Adams to present his letters of credence from the United States of North America, and to receive the propositions which he shall make, to make report of them to the lords the states of this Province.

E. LEWE, *Secretary*.

The States-General having deliberated the same day upon this resolution, have resolved "that the deputies of the province of Guelderland, which has not yet declared itself upon the same subject, should be requested to be pleased to do it as soon as possible."

#### UTRECHT.

[Extract of the resolutions of their noble mightinesses the States of the Province of Utrecht, 10th of April, 1782.]

Heard the report of M. de Westerveld and other deputies of their noble mightinesses for the department of war, who, in virtue of the commissorial resolutions of the 9th of May, 1781, the 16th of January and the 20th of March of the present year, 1782, have examined the resolution of their high mightinesses of the 4th of May, 1781, containing an overture that the president of the assembly of their high mightinesses had made "that a person styling himself J. Adams had been with him and had given him to understand that he had received letters of credence for their high

mightinesses from the United States of North America, with a request that he would be pleased to communicate them to their high mightinesses," as well as the resolution of their high mightinesses of the 9th of January, containing an ulterior overture of the president "that the said Mr. Adams had been with him and had insisted upon a categorical answer whether his said letters of credence would be accepted or not;" finally, the resolution of their high mightinesses of the 5th of March last, with the insertion of the resolution of Friesland, containing a proposition "to admit Mr. Adams in quality of minister of the Congress of North America."

Upon which, having deliberated and remarked that the lords the states of Holland and West Friesland, by their resolution, carried the 29th of March to the States-General, have also consented to the admission of the said Mr. Adams in quality of minister of the Congress of North America, it has been thought fit and resolved that the gentlemen the deputies of this Province in the States-General should be authorized, as their noble highnesses authorize them by the present, to conform themselves, in the name of this Province, to the resolution of the lords the states of Holland and West Friesland, and of Friesland, and to consent, by consequence, that Mr. Adams be acknowledged and admitted as minister of the United States of North America, their noble mightinesses being at the same time of opinion that it would be necessary to acquaint her majesty the Empress of Russia and the other neutral powers with the resolution to be taken by their high mightinesses upon this subject in communicating to them (as much as shall be necessary) the reasons which have induced their high mightinesses to it, and in giving them the strongest assurances that the intention of their high mightinesses is by no means to prolong thereby the war which they would have willingly prevented and terminated long since; but that, on the contrary, their high mightinesses wish nothing with more ardor than a prompt reëstablishment of peace, and that they shall be always ready, on their part, to coöperate in it in all possible ways and with a suitable readiness so far as that shall be any way compatible with their honor and their dignity. And to this end an extract of this shall be carried by missive to the gentlemen the deputies at the Generality.

GUELDERLAND.

[Extract from the *Précis* of the ordinary diet held in the city of Nimeguen in the month of April, 1782. Wednesday, 17th of April, 1782.]

The requisition of Mr. Adams to present his letters of credence to their high mightinesses in the name of the United States of North America, having been brought to the assembly and read, as well as an ulterior address made upon this subject, with the demand of a categorical answer by the said Mr. Adams, more amply mentioned in the registers of their high mightinesses of the date of the 4th of May, 1781, and the 9th of January, 1782; moreover, the resolutions of the lords the States of the six other Provinces carried successively to the assembly of their high mightinesses, and all tending to admit Mr. Adams, in quality of envoy of the United States of North America, to this republic; upon which their noble mightinesses after deliberation have resolved to authorize the deputies of this Province as they authorize them by the present to conform themselves in the name of this Province to the resolution of the lords the States of Holland and West Friesland, and to consent by consequence that Mr. Adamas may be acknowledged and admitted, in quality of envoy of the United States of North America, to this republic. In consequence, an extract of the present shall be sent to the said deputies to make as soon as possible the requisite overture of it to the assembly of their high mightinesses.

J. INDE BETOUW.

This resolution of Guelderland was no sooner remitted, on the 19th, to their high mightinesses than they took immediately a resolution con-

formable to the unanimous wish of the seven Provinces, conceived in the following terms :

[Extract from the register of the resolutions of their high mightinesses the States-General of the United Provinces. Friday, April 19, 1781.]

Deliberated by resumption upon the address and the ulterior address made by Mr. Adams the 4th of May, 1781, and the 9th of January of the current year to the president of the assembly of their high mightinesses, to present to their high mightinesses his letters of credence, in the name of the United States of North America, and by which ulterior address the said Mr. Adams has demanded a categorical answer to the end to be able to acquaint his constituents thereof; it has been thought fit and resolved that Mr. Adams shall be admitted and acknowledged in quality of envoy of the United States of North America to their high mightinesses as he is admitted and acknowledged by the present.

W. BOREEL.

Compared with the aforesaid register.

H. FAGEL.

#### THE FORMAL RESOLUTION OF THEIR HIGH MIGHTINESSES.

[Extract from the register of the resolutions of their high mightinesses, the States-General of the United Provinces. Monday, April 22, 1782.]

M. Boreel, who presided in the assembly the last week, has reported to their high mightinesses and notified them that Mr. John Adams, envoy of the United States of America, had been with him last Saturday and had presented to him a letter from the assembly of Congress written at Philadelphia the 1st of January, 1781, containing a credence for the said Mr. Adams to the end to reside in quality of its minister plenipotentiary near their high mightinesses. Upon which, having deliberated, it has been thought fit, and resolved to declare by the present, that the said Mr. Adams is agreeable to their high mightinesses; that he shall be acknowledged in quality of minister plenipotentiary, and that there shall be granted to him an audience, or assigned commissioners when he shall demand it. Information of the above shall be given to the said Mr. Adams by the agent, Van der Burch de Spieringshoek.

W. VAN CITTERS.

Compared with the aforesaid register.

H. FAGEL.

[Franklin's letter to J. Adams, of April 20, 1782, is given *infra* in Franklin's Journal, dated July 1, 1782; and so of Shelburne's letter to Franklin of April 20, 1782; of Franklin's letter to Laurens of same date; Franklin to J. Adams of April 21, 1782, and of Laurens to Franklin of April 20, 1782.]

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#### J. Adams to Livingston.\*

THE HAGUE, April 22, 1782.

SIR: On the 22d day of April I was introduced, by the chamberlain, to his Most Serene Highness the Prince of Orange.

Knowing that his highness spoke English, I asked his permission to speak to him in that language, to which he answered, smiling, "If you

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 604; 7 J. Adams' Works, 571.

please, sir." Although French is the language of the court, he seemed to be pleased and to receive as a compliment my request to speak to him in English.

I told him I was happy to have the honor of presenting the respects of the United States of America, and a letter of credence from them to his Most Serene Highness, and to assure him of the profound veneration in which the House of Orange had been held in America, even from its first settlement, and that I should be happier still to be the instrument of further cementing the new connexions between two nations professing the same religion, animated by the same spirit of liberty, and having reciprocal interests, both political and commercial, so extensive and important; and that in the faithful and diligent discharge of the duties of my mission I flattered myself with hopes of the approbation of his Most Serene Highness.

His Highness received the letter of credence, which he opened and read. The answer that he made to me was in a voice so low and so indistinctly pronounced that I comprehended only the conclusion of it, which was that "he had made no difficulty against my reception." He then fell into familiar conversation with me, and asked me many questions about indifferent things, as is the custom of princes and princesses upon such occasions. How long I had been in Europe? How long I had been in this country? Whether I had purchased a house at The Hague? Whether I had not lived some time at Leyden? How long I had lived at Amsterdam? How I liked this country? &c.

This conference passed in the prince's chamber of audience with his highness alone. I had waited some time in the antechamber, as the Duc de la Vauguyon was in conference with the prince. The duke, on his return through the antechamber, meeting me unexpectedly, presented me his hand with an air of cordiality which was remarked by every courtier and had a very good effect.

The prince has since said to the Duc de la Vauguyon that he was obliged to me for not having pressed him upon the affair of my reception in the beginning. He had reason; for if I had, and he had said or done any thing offensive to the United States or disagreeable to me, it would now be remembered much to the disadvantage of the court.

I have the honor to be, &c.,

JOHN ADAMS.

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Franklin to Jay.\*

PASSY, April 22, 1782.

DEAR SIR: I have undertaken to pay all the bills of your acceptance that have come to my knowledge, and I hope in God no more will be drawn upon us, but when funds are first provided. In that case, your

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\* 9 Sparks' Franklin, 211; 2 Jay's Life, 94; 7 Bigelow's Franklin, 450; 2 Corr. and Pub. Papers of John Jay, 193.



constant residence at Madrid is no longer so necessary. You may make a journey either for health or pleasure without retarding the progress of a negotiation not yet begun. Here you are greatly wanted, for messengers begin to come and go, and there is much talk of a treaty proposed, but I can neither make nor agree to propositions of peace without the assistance of my colleagues. Mr. Adams, I am afraid, can not just now leave Holland, Mr. Jefferson is not in Europe, and Mr. Laurens is a prisoner, though abroad upon parole. I wish, therefore, that you would resolve upon the journey and render yourself here as soon as possible. You could be of infinite service. Spain has taken four years to consider whether she should treat with us or not. Give her forty, and let us in the mean time mind our own business. I have much to communicate to you, but choose rather to do it *viva voce* than trust it to letters.

I am ever, my dear friend, yours, most affectionately,

B. FRANKLIN.

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Vergennes to Franklin.\*

[Translation.]

VERSAILLES, April 23, 1782.

SIR: The Baron de Blome has just sent me the annexed memorial, and the only use I can make of it is to communicate it to you, persuaded that you will forward it to Congress.

I have the honor to be, &c.,

DE VERGENNES.

COMPLAINT FROM DENMARK AGAINST AN AMERICAN PRIVATEER CALLED THE HENRY.

[Translation.]

The court of Denmark has been informed that the ship *Providence*, of Christiania, in Norway, destined from London for St. Thomas, a Danish island, with a cargo of divers merchandise, has been stopped in the latitude of Antigua by an American privateer called the *Henry*, Captain Thomas Benson, and has been conducted into a port of New England under the pretence that the cargo might be English property.

As this act is prejudicial to the credit, security, and liberty of the Danish flag, the underwritten has been charged, by order of his court, to communicate the same to his excellency the Count de Vergennes, requesting that he will be pleased to effect, by his intervention, a prompt and entire restitution of the said vessel and cargo, with damages proportioned to the unjust detention, and that he will be kind enough at the same time to endeavor to obtain that precise orders be given to the American privateers not to trouble in anywise the navigation and commerce of Denmark, but to respect its flag.

The court has the greater right to expect this compliance on the part of the Americans, as they continue to enjoy every liberty and to find every assistance in its American islands, and they will always experience the same kind treatment on the part of Denmark, provided they correspond by proceedings equally amicable.

DE BLOME.

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\* 2 Sparks' Dip. Rev. Corr., 248.

Dana to J. Adams.\*

ST. PETERSBURGH, *April 23, 1782.*

DEAR SIR: I see with infinite satisfaction the progress our affairs have made in Holland within a short time, and that you will soon be able to put the finishing hand to your business. No one will more sincerely rejoice in the honor you will merit and acquire by it than I shall. That nation, after much internal struggling, seems at last to have adopted an almost universal sentiment upon the propriety, or rather necessity, of forming an intimate commercial connexion with us, and this without loss of time. They have been doubtless justly alarmed by the late important change in the councils and system of Great Britain, and have wisely resolved not to suffer her to get the start of them, by adjusting her commercial connexions with America before they have concluded their treaty with us. They well know how much is risked by a further delay. Hence their present zeal to acknowledge our independence.

I wish others saw their interest to do the same thing in as clear a light, and did not longer think of the glory of mediating a peace, which in the end they may miss of; for it is evident to every one who will attentively consider the late measures of Britain, that she means to settle her peace with America without the participation of any mediators; well knowing the great danger which her most important commercial interests will be exposed to if they pass through such a medium. Her aim will be to exclude the other maritime powers, as far as possible, from the benefits of our commerce. To effect this, she will make great sacrifices in some respects. You know what I allude to. The critical moment for the maritime powers of Europe has already arrived. They may never, or at least for a long time to come, again see so fair an occasion to promote their essential interests, if they suffer this moment to slip by without fixing their connexions with America. It must be apparent to them all (the neutral powers, I mean) that no just objections can now be made to a measure of this sort, since the British themselves have felt the necessity of publicly proclaiming to the world their utter inability to obtain the great object of their war, the subjugation of the United States, or of any one of them; and have even made the attempt to do this criminal. With what face can they now pretend to claim any dominion over that country, or to require the neutral powers to forbear the acknowledgment of our independence till they themselves shall have acknowledged it? Or, in other words, to rest idle spectators, as I have before said, till Britain has adjusted all her commercial interests with America, as far as possible to their exclusion.

Do you ask whether this will probably be the case here? I can not say that it will not. For besides that I have some reason to suppose this government not yet properly informed, I may say, of the immense

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\* 4 Sparks' Dip. Rev. Corr., 617.

interest it has at stake relative to the commerce of our country. I know the British will not fail constantly to hold up to her Imperial majesty the glory of mediating a peace between the great belligerent powers, while they are secretly carrying on a negotiation as above with the United States. Should you ask me if it is not practicable to give those in government just ideas upon the nature of the commerce of the two countries, I must say I have taken such measures to this end as the peculiar state of things will admit of. I dare not expose the dignity of the United States by making any official advances. They may be rejected. I am not satisfied that they would not be. The cry of mediation, I know, would open upon me. It is necessary, therefore, first to do away all errors upon this subject of commerce, to establish the great mutual interests the two nations have in a close and intimate connexion with each other, and to point out the danger this interest is exposed to, in the present critical state of affairs, by delay. When this is done (and I flatter myself the task is very easy if the door is open to me) I shall have nothing to apprehend from mere sounds or words. Her majesty would most certainly pursue the great interests of her empire, and not suffer herself to be diverted from that pursuit by any dazzling prospects of glory which the British or any others might hold out. She has too much wisdom not to change her system when affairs have changed their face, and not to improve every favorable occasion which the course of events may present to her, for the benefit of her empire.

I agree with you that glory and interest are both united in our case; that her majesty could not, by any line of conduct, more effectually promote both than by stepping forth at this moment and acknowledging the independence of the United States and forming a commercial treaty with them; that there is nothing to fear from any quarter; that the example of so illustrious a sovereign would probably be followed by the other neutral maritime powers, and would infallibly restore peace and tranquillity to both worlds; and that all Europe would partake equally in the benefits of our commerce, or at least enjoy an equal freedom in it. But if, instead of this, America can not obtain a hearing, which is all she wants to insure her success, wherever national counsels are influenced by national interests, and her majesty should persevere in her system of mediation, notwithstanding the change in affairs, is not the consequence plain? America will make the best bargain in her power with Britain, and she can now clearly make an advantageous one. When this is done, her majesty and the other neutral powers will certainly see, though too late, the importance of the present moment to the interests of their respective empires. I will only add, may they be wise in season; may they follow the example which Holland is setting them, and which she would have set them at this moment had she been in profound peace with Britain, even at the hazard of a war,

little as she delights in it, rather than suffer herself to be foreclosed in her great commercial schemes.

I have the honor to be, &c.,

FRANCIS DANA.

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Morris to Jay.\*

OFFICE OF FINANCE, *April 23, 1782.*

DEAR SIR: You have enclosed herewith the copy of an official letter to the Secretary of Foreign Affairs, which contains some information on subjects that you ought to know. It has been my intention for some time past to give you a detail of circumstances which have happened since the date of my former despatches; but the occurrences of every day employ my whole time and engross my whole attention, especially for the last six weeks, as I have been deprived of assistance. The first leisure moments shall be devoted to make you acquainted with the situation of things here, and in the meantime you may indulge the pleasing idea that system and regularity are dispelling the clouds in which our affairs have been enveloped.

I am, very sincerely, &c.,

ROBERT MORRIS.

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Washington to Morris.†

HEADQUARTERS, *April 23, 1782.*

SIR: I am obliged to you for the copy of the contract you have been pleased to send me under cover of your favor of the 15th instant. It came very opportunely, as I have already been applied to for a determination upon the points submitted to my decision.

I am very glad to find that an intendant, appointed by you, is to attend the army and to hear and decide upon causes of complaint or uneasiness which may arise between the army and the contractors. As we are still to gain knowledge by experience, other complaints than those which have already occurred may yet arise, and I shall be very happy to be relieved from those troubles as much as possible. I wish you may be fortunate in the appointment of this person and that he may be with the army at an early period.

You may be assured that I am fully persuaded of the importance and utility of the present mode of feeding the army and that I shall take every occasion to impress the same ideas upon the minds of the officers. I am pleased to find that, saving the complaints which have arisen in their execution, they are generally inclined to acquiesce and promote the contracts; and you may depend that I shall take pleasure

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\* 6 Sparks' Dip. Rev. Corr., 451.

† 6 Sparks' Dip. Rev. Corr., 452.

in giving the gentlemen concerned in our supply every assistance and protection in my power, consistent with that justice which I think is due to the army.

I have the honor to be, &c.,

GEORGE WASHINGTON.

J. Adams to Livingston.\*

THE HAGUE, *April 23, 1782.*

SIR: On the 23d of April I had the honor of a conference with M. Van Citters, president of their high mightinesses, to whom I presented the following memorial:

HIGH AND MIGHTY LORDS: The underwritten, minister plenipotentiary of the United States of America, has the honor to inform your high mightinesses that he is charged by the instructions of his sovereign to propose to the States-General of the United Provinces of the Netherlands a treaty of amity and commerce between the two republics, founded upon the principle of equal and reciprocal advantage, and compatible with the engagements already entered into by the United States with their allies, as also with such other treaties which they design to form with other powers. The undersigned has, therefore, the honor to propose that your high mightinesses would nominate some person or persons with full power to confer and treat with him on this important subject.

JOHN ADAMS.

Their high mightinesses, on the same day, appointed a grand committee to treat, to whom I was introduced with great formality by two noblemen, and before whom I laid a project of a treaty † which I had drawn up conformable to the instructions of Congress. I prayed the gentlemen to examine it and propose to me their objections, if they should have any, and to propose any further articles which they should think proper. It has been examined, translated, printed, and sent to the members of the sovereignty.

The greatest part of my time, for several days, has been taken up in receiving and paying of visits from all the members and officers of government and of the court, to the amount of one hundred and fifty or more.

I have the honor to be, &c.,

JOHN ADAMS.

\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 606; 7 J. Adams' Works, 572.

† The plan of a treaty sent to Mr. Adams by Congress may be found in the *secret journals of Congress*, vol. 2, p. 373.

J. Adams to Livingston.\*

THE HAGUE, *April 23, 1782.*

SIR: I ought not to omit to inform Congress that, on the 23d of April, the French ambassador made an entertainment for the whole corps diplomatique, in honor of the United States, at which he introduced their minister to all the foreign ministers at this court.

There is nothing, I suppose, in the whole voluminous ceremonial, nor in all the idle farce of etiquette, which should hinder a minister from making a good dinner in good company, and therefore I believe they were all present; and I assure you I was myself as happy as I should have been if I had been publicly acknowledged a minister by every one of them; and the Duc de la Vauguyon more than compensated for all the stiffness of some others by paying more attention to the new brother than to all the old fraternity.

Etiquette, when it becomes too glaringly affectation, imposes no longer neither upon the populace nor upon the courtiers, but becomes ridiculous to all. This will soon be the case everywhere with respect to American ministers. To see a minister of such a state as ——— and ——— assume a distant, mysterious air towards a minister of the United States because his court has not yet acknowledged their independence, when his nation is not half equal to America in any one attribute of sovereignty, is a spectacle of ridicule to any man who sees it.

I have had the honor of making and receiving visits in a private character from the Spanish minister here, whose behavior has been polite enough. He was pleased to make me some very high compliments upon our success here, which he considers as the most important and decisive stroke which could have been struck in Europe.

I have the honor to be, &c.,

JOHN ADAMS.

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Franklin to Jay.†

PASSY, *April 24, 1782.*

DEAR SIR: The Prince de Masaran, being so good as to desire carrying a letter to you, I sit down to write you a few lines, though I hope soon to see you. Enclosed I send a copy of one of Mr. Deane's letters; I shall show you more when you come.

In consequence of a proposition I sent over, the Parliament of Britain have just past an act for exchanging American prisoners. They have near eleven hundred in the jails of England and Ireland, all committed as charged with high treason. The act is to empower the king, notwithstanding such commitments, to consider them as prisoners of

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 607; 7 J. Adams' Works, 573.

† 9 Sparks' Franklin, 212; 2 Jay's Life, 95.



war, according to the law of nations, and exchange them as such. This seems to be giving up their pretensions of considering us as rebellious subjects, and is a kind of acknowledgment of our independence. Transports are now taking up to carry back to their country the poor, brave fellows who have borne for years their cruel captivity, rather than serve our enemies, and an equal number of English are to be delivered in return. I have, upon desire, furnished passports for the vessels. Our affairs in Holland are *en bon train*; we have some prospect of another loan there, and all goes well here.

The proposal to us of a separate peace with England has been rejected in the manner you wish, and I am pretty certain they will now enter into a general treaty. I wrote you a few lines by last post, and on the same day a few more by the court courier. They were chiefly to press your coming hither to assist in the affair. With great and sincere esteem, I am ever, dear sir, &c.,

B. FRANKLIN.

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Morris to General Greene.\*

OFFICE OF FINANCE, April 24, 1782.

SIR: The several bills you found it necessary to draw upon me have been punctually honored, and I am pleased at having been able by this means to strengthen your credit and provide you with money, which I dare say will, agreeably to your declaration, be expended only on occasions of pressing necessity. Would it were in my power to make you perfectly easy on the score of money; you would then experience the alacrity with which my compliances would be made.

I have observed by the tenor of several of your letters on the subject of the confederation, that your sentiments coincide entirely with my own. The inefficiency of that instrument is daily felt, and the want of obligatory and coercive clauses on the States will probably be productive of the most fatal consequences. At present they content themselves with the assertion that each has done most, and that the people are not able to pay taxes. Languor and in exertion are the offspring of this doctrine, and finally the people, who are said to be incapable of bearing taxation, actually pay double the sum that would be necessary in the first instance. Nothing on my part has been omitted that I could think of, to stimulate them to exertions; and I have given them every encouragement to support my arrangements, that could be derived from regularity, system, and economy; but all this does not produce the effect it ought; there are in every legislature characters too full of local attachments and views to permit sufficient attention to the general interest. I am perfectly sensible, and was the day I became superintendent of finance, of the difficulties that are to be encountered. I know

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\* 6 Sparks' Dip. Rev. Corr., 452.

full well that it requires much time, more patience, and greater abilities than I claim, to bring the finances to the order in which they ought to be in every well governed country. But I apprehend this knowledge ought not to deter either you or me from continuing the struggle with those difficulties. If I had been deterred by their appearance from the acceptance of my appointment, our affairs would probably have been worse than they now are, or if you had declined to oppose the British arms in the Southern States, Virginia might now have formed the boundary line.

You, therefore, my dear sir, must continue your exertions, with or without men, provisions, clothing, or pay, in hopes that all things will come right at last, and I will continue mine until somebody more competent shall be found to relieve me. The Secretary at War will say every thing that is necessary with respect to men, clothing, short enlistments, and future operations.

With respect to the pay of the army, we have abolished the practice of partial payments. The officers with you will be furnished monthly with their subsistence money, and let their distance be what it may, they shall have the same payments with those that are nearer, for I never will consent to partial payments so long as it depends on me. How much pay I shall be able to make depends absolutely on the collection of taxes in the several States. If they comply tolerably well with the requisition of Congress for the year 1782, I will make tolerably good pay to the army for that year, but if the States will not furnish the means, it is impossible. The discontents of the army should in justice be directed to the legislatures of those States which neglect or delay to pay their quotas of the continental tax, and it shall be clearly known in future which they are.

I am, sir, &c.,

ROBERT MORRIS.

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Jay to Morris.\*

MADRID, *April 25, 1782.*

DEAR SIR: Some of my letters to you have, I find, miscarried by the capture of the vessels that were carrying them, and there is reason to suspect that two others were stopped here, as the letters enclosing them did not reach the persons at the seaports to whom they were directed.

I have heretofore mentioned the receipt of the picture you was so kind as to send me by Mr. Ridley, and the arrival of your sons. I don't know the fate of that letter, and that uncertainty induces me to repeat my thanks for the one and my congratulations on the other. The estimation in which I hold your friendship, and the marks I have received of it interest me in everything which concerns you and yours, and

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\* 2 Jay's Life, 96.

be assured that no opportunity of giving higher proofs of it shall be omitted.

Mrs. Jay's time is much employed in nursing and amusing herself with her little girl. She is writing to Mrs. Morris. We are cheerful, and not unhappy, though distant from our friends and deprived of the pleasures which result from that free and unreserved conversation which can only be indulged in the company of safe companions, or in a country like ours.

We remove next week to Aranjues, where I expect again to spend some agreeable weeks. It is a charming place, containing a tract of several miles in circumference and divided into gardens, meadows, parks, cultivated grounds, and wilds full of fine trees, fine roads, and fine walks, and watered by a slow, winding river, which, if more clear, would be very beautiful. But still, my friend, it is not America. A genius of a different character from that which presides at your hills and gardens reigns over these. Soldiers, with fixed bayonets, present themselves at various stations in these peaceful retreats, and though none but inoffensive citizens are near, yet horsemen with drawn swords, guarding one or other of the royal family in their little excursions to take the air daily, renew and impress ideas of subjection. Power unlimited and distrust misplaced, thus exacting homage and imposing awe, occasion uneasy reflections and alloy the pleasing sensations which nature, smiling in such delightful scenes, never fails to excite. Were I a Spaniard, these decorated seats would appear to me like the temporary enchantments of some despotic magician, who, by re-extending his wand, could at pleasure command them to vanish and be succeeded by galleys and prisons.

Nothing is more true, than that all things figure by comparison. This elegant seat, being surrounded by exclusive wastes, appears like a blessed and fortunate island in a dreary ocean. The contrast heightens its charms, and every traveller arrives with a mind predisposed to admire and enjoy them; but as the first impression wears away and he begins to recollect the more happy though less magnificent abodes in his own country, the attractions and allurements of this insensibly diminish. I have more than once experienced this, and though not difficult to please or be contented, yet I confess that I find little here that resembles, and nothing that can compensate for the free air, the free conversation, the equal liberty, and the other numerous blessings which God and nature and the laws of our making have given and secured to our happier country. I would not be understood to insinuate that good society and agreeable companions are wanting here. They may, perhaps, abound more in some other parts of the world, but they are also to be found here, though an unsocial kind of policy requires unceasing attention to the most austere rules of caution and prudence. The little that I have seen and observed of this people induces me to think that (except the generality of those who compose

the highest and lowest grades) they possess many qualities which are praiseworthy; and that two or three long and wise reigns would make them a very powerful and an amiable nation. But as I have not had sufficient opportunities of mixing with and personally knowing many of them, time and further information may either confirm or alter this opinion. The evident suspense and indecision of the court respecting us has kept many at a distance, with whom I should otherwise have been on a very familiar footing, and some of them have been so candid as to tell me so. This is a kind of prudence which naturally grows out of a jealous and absolute government under which the people have for many generations been habituated to that kind of dependence which constrains every class to watch and respect the opinions and inclinations of their superiors in power. The prosperous tide of our affairs, however, has for some time past run so strong that I think many of our obstacles here must soon give way. Shyness will then cease, and I shall not afterwards find it difficult to be received into more of their houses, and that in the only manner I ever wish to be received into any—I mean, at the front door, by direct invitation from the masters of them, and without the precursory good offices of upper servants and unimportant favorites, whom I never can submit to court. Until this period arrives I shall continue to cultivate the few acquaintances I have, and without giving offence to any, endeavor to increase their number whenever it may be done with propriety and to advantage; but I shall, as heretofore, avoid embarrassing and intruding upon those who, in the meantime, may think it necessary to be reserved. Self respect joins with prudence in pointing out this line of conduct; and as I have no enemies of my own making, I am persuaded that instead of losing I shall eventually be a gainer by adhering to it, especially as those who may have been led to ascribe this conduct to improper motives will then immediately find themselves undeceived.

Be pleased to present our compliments and best wishes to Mrs. Morris and our friends with you.

I am, &c.,

JOHN JAY.

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Morris to Livingston.\*

OFFICE OF FINANCE, *April 27, 1782.*

SIR: His excellency, the minister of France, having informed me on the part of his court that no extraordinary sums will be paid to the ministers of the United States in Europe, I must request that you will furnish me with an account of their several salaries, payable to the foreign ministers and their secretaries, and I will make out bills in your favor on the banker of the United States in Paris for the last quarter

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 174, with verbal changes.

commencing with the present year. I must at the same time pray you will require of those gentlemen the state of their several accounts with the public for salaries, that the whole may be adjusted, and all future expenses of that sort may be classed under the proper head of the Department of Foreign Affairs.

I have the honor to be, &c.,

ROBERT MORRIS.

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**Morris to the Governor of Virginia.\***

OFFICE OF FINANCE, *April 27, 1782.*

SIR: In a letter from his excellency the minister plenipotentiary of France, of the 22d instant, is the following paragraph:

His majesty having consented to furnish the State of Virginia with arms, clothing, and munitions for a sum with the amount of which I am unacquainted, the minister desires that Virginia would render an account of the same to the United States, and that you would close the business, and the amount which has been advanced by France to Virginia shall be deducted from the sums loaned to the United States.

My answer of this date is as follows:

With respect to the supplies of the State of Virginia, I have already had the honor of mentioning to your excellency that I could by no means consider purchases made for any particular State in the Union as properly chargeable to the United States. This was in a letter of the 26th of November last, in consequence of your application relating both to Maryland and Virginia. If Mr. Franklin has asked the supplies on the credit of the United States they will of course be brought to their account. But I can not conceive that this has been done by him, as I do not know of any orders to do so from the Congress. Your excellency will, I am confident, see with me the impropriety of listening to the applications made by separate States, and be convinced how much it is the duty of those to whom the administration is committed, to oppose these appearances of disunion in our councils; appearances which, however unfounded, are not the less injurious. The State of Virginia is, as you well know, far from being singular in her applications abroad for separate aid, and your excellency is better informed than almost any other of the evils which have resulted from them. I do not mention this with a view to blame those who made or those who granted the requests alluded to. On the contrary, it gives me pleasure to find that, in some instances among so many, a fruitless recourse has not been had to the purses of individuals. As there is a hope that these irregularities may no longer take place, I will not absolutely decide, and must pray that this question be for the present left open, as I am extremely desirous not to injure the operations or credit of any particular State while I pursue the road marked out by my public duties. I shall transmit to the government of Virginia that part of your letter which relates to this object.

I presume that it will be unnecessary to remark to your excellency how incapable the United States are of assuming burdens of debt, while so little attention is paid to put the public treasury in a situation to defray the necessary expenses of the current service. I must pray to be furnished with an exact account, as soon as may be, of the sum due by the State of Virginia to the court of France, and of the funds which

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 454, with verbal changes.

the State proposes to apply in discharge of it, in order that I may, if possible, take such measures as may preserve her credit, and not be injurious to the United States. It becomes my duty, sir, on this occasion to mention further the sum of sixty-six thousand eight hundred and fifty-three livres and ten deniers which were expended by Mr. Lee in the purchase of supplies for your State, which were acknowledged by a certificate of the 13th of March, 1780, with a promise to account.

Your letter of the 28th March last has been received some time ago.

I have the honor to be, &c.,

ROBERT MORRIS.

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Livingston to Jay.\*

PHILADELPHIA, *April 27, 1782.*

DEAR SIR: I informed you in my letter of the 16th instant† that yours of the 3d of October had been received and submitted to Congress in my absence, and, as I had then reason to think, that it would be answered by them. This I wished because I was persuaded it would express their approbation of your conduct, and afford you that intimate knowledge of their sentiments which the delicacy of your situation renders particularly important. They have, however, judged it proper to refer the letter to me. I shall endeavor to preserve the advantages I have mentioned to you by reporting this answer.

Acquainted with the expectations of Congress, and the grounds on which they formed them, you will easily believe that they are equally surprised and concerned at the little attention hitherto shown by Spain to their respectful solicitations. They had learned from every quarter that his Catholic majesty, among the princely virtues he possesses, was particularly distinguished for his candor and that open dignity of character which is the result of having no views that he found any reluctance in disclosing; and that the ministers in whom he confided, breathing the spirit of the prince, were above those artifices which form the politics of inferior powers. They knew the insults which Spain had received from Great Britain, and they could conceive no reason why she should conceal or refuse to return them by supporting openly the people whom Britain unjustly endeavored to oppress. These principles, confirmed by the frequent recommendations of those whom they believed to be acquainted with the sentiment of the court of Madrid, induced them to send a minister to solicit the favorable attention of his Catholic majesty to a people who were struggling with oppression, and whose success or miscarriage could not but be important to a sovereign who held extensive dominions in their vicinity. Give me leave to add, sir, that in the choice of the person they were not

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\*MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 379, with verbal changes.

† This letter is in cipher and the key has been lost.



inattentive to the dignity of the court, or to the candor and integrity by which they were supposed to be influenced. I would not have you infer from what has been said that the favorable sentiments which the United States have hitherto entertained of the court of Madrid have undergone the least alteration. They are satisfied that nothing would be more injurious to both nations than to permit the seeds of distrust or jealousy to be sown among them.

But though those who are well informed feel no abatement of respect or esteem for the virtue and magnanimity of his majesty, and do full justice to the integrity and abilities of his ministers, accepting the apologies you mention, and attributing to their true causes the delays and neglects you have unhappily experienced, yet they are in the utmost pain lest they should work some change in the sentiments of the people at large, in whom with us the sovereignty resides, and from thence diffuse themselves into the government, and be productive of measures ruinous to that friendly intercourse, that spirit of amity, which it is the wish of those who are acquainted with the true interests of both countries to promote.

After the war was declared by Spain, those among us who had formed the highest ideas of her magnanimity persuaded themselves that she would act decidedly for us when she found us in distress. They grounded their belief upon the avowed spirit of the nation, and the policy of adopting measures to reanimate us and damp the ardor of the enemy, and to make such impressions upon our hearts as to give them in future a considerable influence on our councils. Our disappointment in this expectation, though perhaps to be accounted for upon very natural principles, has been greatly aggravated by the sedulous endeavors of the enemies of both countries to create distrust and jealousies. They artfully insinuate that Spain seeks only to draw advantages from our wants, without so far interfering in our affairs as to involve herself, if we should be unsuccessful. These insinuations are gaining ground, and it becomes daily more necessary for Congress to be furnished with reasons to justify to their constituents the concessions they have proposed to make, or to withdraw those concessions when they are found ineffectual. Yet they find much reluctance in discovering the least want of confidence in the court of Madrid; that though their present situation might fully justify them in not parting with the important rights you are empowered to concede, without stipulating some very valuable equivalent, yet they can not be induced to make any alteration in your instructions on this subject, till you shall have reason to conclude that nothing can be done towards forming the alliance they have so much at heart; not only because of the influence it will immediately have in accelerating the peace, but because of the advantages which Spain and America may reciprocally promise each other in future, from the lasting connexion which will be erected thereon.

Though the delays you have met with afford room to suspect that Spain wishes to defer a particular treaty with us till a general peace, yet I see so many political reasons against such a measure, that I can hardly presume they will adopt it.

At the close of a successful war, a great and powerful nation, to whom a character for justice and moderation is of the last importance, can in no case demand more than a compensation for the injuries received. This compensation will, indeed, be measured in part by their success. But still it has bounds, beyond which a nation can not go with dignity. Spain has insisted upon the cession of Gibraltar as a preliminary to a peace. This is, of itself, a considerable compensation for any damage she may have sustained. Should she carry her demands further, and, agreeably to the ideas of the Spanish ministers, expect to have any exclusive right to the Gulf of Mexico and the river Mississippi, she must not only demand East and West Florida of the British, but she must support the claims of Great Britain against those of America, the claims of an enemy against the rights of a friend, in order that she may make still further demands.

Will it consist with the dignity of his Catholic majesty to ask, for the short space in which he has been engaged in the war, not only Gibraltar, but the two Floridas, the Mississippi, the exclusion of Great Britain from the trade to the Bay of Honduras; while the other branch of the house of Bourbon, who engaged early in the controversy, confines her demands to the narrowest limits? Will she (Spain) expose herself to the imputation of despoiling an ally (for such we are in fact, though we want the name), at the instant that she is obtaining the greatest advantage from the distress which that ally has, at least in part, contributed to bring upon her enemy? And this, too, without the least necessity, when she may, by accepting and purchasing our title, appear to have contended for the rights of the United States. This will then make no part of the satisfaction to which she is entitled from Great Britain; she may justly extend her demands to other objects, or exalt her character for moderation by limiting them to narrower bounds. This mode of reasoning will come with more weight when we display our rights before impartial mediators, and show that recent conquests have been added to our ancient title, for it can not be doubted that we shall, at the close of the war, make the most of those rights which we obtain no equivalent for while it continues.

I persuade myself, therefore, that Spain will not risk the loss of so important an object as the exclusive navigation of the Mississippi, by postponing the treaty to a general peace, more particularly as a treaty with us will secure our concurrence in their views at a general Congress, as well as save them the necessity of making demands inconsistent with that character for moderation which their great power renders important to them.

Congress flatter themselves that the surmises on this subject are

groundless, and that before this reaches you the treaty will be far advanced. Should they be mistaken you will take measures to know from Spain whether she accepts your concession as the price of an alliance, and upon what terms. If they are such as you can not close with, and the treaty must break off, be persuaded that any steps you have taken or shall take, not inconsistent with the respect due to his Catholic majesty, to prevent the cessions you are empowered to make from militating against our rights, will be approved by Congress.

Congress presume you will find no difficulty in knowing the intentions of his majesty on this subject, since they wish you to treat his ministers with that unreserved confidence which becomes the representative of a nation which has no views that it does not avow, and which asks no favor which it does not hope to return; and, as in the present happy state of his majesty's affairs, they can conceive no reason for disguising his designs, they are satisfied that your frankness will meet from his ministers with the confidence it merits.

I make no observations on the hint the Count de Florida Blanca gave you with respect to the restitution of such sums as Spain might be pleased to advance to us, because whatever claims we might set up to subsidy from the share we take in the burthen of the war, and the utility of our exertions in the common cause, we are far from wishing to lay ourselves under any pecuniary obligations for a longer time than is absolutely necessary. A few years of peace will enable us to repay, with interest, any sums which our present necessities compel us to borrow.

I can not close this letter without expressing the grateful sense that Congress entertain of the disinterested conduct of Spain in rejecting the proffers of Great Britain, which must undoubtedly have been considerable, if they bore that proportion to the importance of his Catholic majesty in the great system of politics which those that have been frequently thrown out to lead the United States to a violation of their engagements have done to their comparatively small weight in the general scale. But as America never found the least inclination to close with the insidious proposals of Great Britain, so she finds no difficulty in believing that the wisdom and magnanimity of his Catholic majesty will effectually guard him against every attempt of his natural enemy, to detach him from those who are daily shedding their blood to avenge his injuries in common with their own.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Jay to Livingston.\*

MADRID, *April 28, 1782.*

DEAR SIR: My letter to his excellency the president of Congress of 3d of October last, of which a copy has also been since sent, contained a full and accurate account of their affairs here. Many minute and not very interesting details of little difficulties were omitted, and among others those which arose from my having no funds for the bills payable in October and November, &c., &c. The experience I had gained of the disposition of this court, and the delays which attend all their decisions and operations, induced me to consider my obtaining timely supplies from hence as very uncertain. I therefore wished to have an occasional credit from Dr. Franklin, to be made use of as necessity might require, and for that purpose wrote him the following letter on the 10th of September, viz:

TO DR. BENJAMIN FRANKLIN.

ST. ILDEFONSO, *September 10, 1781.*

DEAR SIR: My last to you was of the 20th day of August last, by Dupin, the French ambassador's courier. Major Franks, with despatches from Congress and from Mr. Robert Morris, is now with me, and will proceed to Passy as soon as I shall be enabled to write by him.

He will bring you a copy of Mr. Morris's letter to me, from which you will see the present state of American finances, and the measures he is prosecuting to ameliorate them. My former letters mentioned my apprehensions that many more bills had been drawn upon me than those for which the sum you authorized me to draw upon you for would satisfy. Near seventy thousand dollars will be wanted to pay those which have since arrived, and although I can not think it improbable that provision may here be made for at least a part of that sum, yet the delays which usually attend operations of this kind render it highly necessary that occasional resources be elsewhere had.

This consideration, so far as it applies to the payments to be made in the two succeeding months, obliges me again to recur to you.

The sanguine expectations entertained by our country from the appointment of Mr. Morris, his known abilities, integrity, and industry, the useful reformatations he has begun, and the judicious measures he is pursuing abroad as well as at home, afford reason to hope that under his direction American credit will be re-established, and the evils which have long threatened us on that head avoided.

It will be useless, therefore, to remark how important it is to prevent our credit from receiving a deep additional wound at the very moment when so much is doing to recover it. The protest of any of our public bills for want of payment would at this period be more injurious than heretofore, and unless again saved by you, that cruel necessity must take place with respect to those on me. Besides, as the singular policy of drawing bills without previous funds will now be relinquished, we have reason to flatter ourselves that we shall in future have no embarrassments of this kind to struggle with. I am well persuaded that Mr. Morris will not pursue such hazardous and unprecedented measures, and, therefore, as in all human probability the present difficulties will be all that we shall have to surmount, I hope you will think with me that the utmost exertions should be made for the purpose, and that

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 385, with verbal changes; 2 Corr. and Pub. Papers of John Jay, 211.

after having done so much to save the credit of American bills, you will still be disposed to do everything in your power to put it out of danger.

When it will be in my power to replace the sums drawn from you is hard to divine. All I can say or do is to assure you that nothing but want of ability shall delay or prevent it.

When I consider how much might have been saved had my bills on you been sold to those who would have taken them on the best terms, I can not forbear thinking it would be advisable to give me only general authority to draw for such sums as I may want, not exceeding the one you may limit.

The sum wanted for October is twelve thousand five hundred and sixty-seven dollars, and for November three thousand and six hundred.

I particularize only the payments due in these two months, because, before the first of December, I hope my expectations from other quarters will at least be ascertained.

I am, dear sir, with great and sincere regard and esteem, your obliged and obedient servant,

JOHN JAY.

P. S.—The Marquis d'Aranda has received a letter from Mr. Grand, informing him that no more bills are to be drawn upon you by me without further order. I am a little at a loss to determine whether this restriction is intended to extend to the balance which remains of the twenty-five thousand dollars allotted for the payment of the bills at two months' sight, and for which I was only to draw as occasion might require.

Lest my having refused to accept some bills drawn upon me by Congress should give rise to reports prejudicial to their credit, I transmit herewith enclosed a state of that case; you will be pleased to make such use of it as circumstances may render necessary. I gave a copy of it to the gentlemen who presented the bills, and desired that it might be recited at large in the protest.

It was not till after several of the bills due in October had become payable that I received the Doctor's friendly answer of the 29th of September, in which he permitted me to draw for the sum requested; so that had not M. Cabarrus, my banker, consented to make the necessary advances, I should have been extremely embarrassed; for, as I before apprehended, any reliance for immediate, though small, supplies from this court would have proved delusive.

This credit from Dr. Franklin enabled me to see our bills duly paid for two months, and I had some faint hopes that before the month of December should arrive with further bills, the intention of this court on the subject of supplies might be ascertained.

I will now proceed to resume the narrative of our affairs here from the date of my above-mentioned letter to the President of the 3d of October last, confining myself to such matters as appear to me necessary to enable you to form a just and clear idea of my negotiations.

My letter of the 3d of October mentions my having been then lately promised that a person should be appointed to confer with me, as well on the subject of my propositions for a treaty as on that of my application for aids, and that his instructions should be completed before the court should remove from St. Ildefonso to the Escorial, which was soon to take place.

This communication was made to me on the 27th of September, and,

lest pretext for delay might arise from my absence, I determined to remain at St. Ildefonso until the court should be on the point of leaving it.

On the 5th of October I found that no further progress in our affairs was to be made before the court should be settled at the Escorial, to which they were then preparing to go. I therefore concluded to return to Madrid, and, with the approbation of the ambassador of France, I wrote the following note to the minister, viz :

Mr. Jay presents his compliments to his excellency the Count de Florida Blanca, and has the honor of informing him that he proposes to return to Madrid to-morrow, and will with pleasure attend his excellency's orders at the Escorial as soon as it may be convenient to his excellency to render his presence there necessary.

ST. ILDEFONSO, *October 5, 1781.*

To this I received the following answer :

[Translation.]

The Count de Florida Blanca presents his compliments to Mr. Jay, and wishes him a pleasant journey. He will write to him as soon as he can say anything positive on the subject of his last note.

OCTOBER 5, 1781.

Four days afterwards the Count sent me a complaint against Commodore Gillon, of the South Carolina frigate, then lying at Corunna; and I insert copies of the papers which passed between us on that occasion, not only because I ought to give an account of all interesting public transactions, but also that my conduct on this occasion may stand contrasted with that of the minister on some other similar ones.

RECITAL OF A COMPLAINT EXHIBITED BY THE COUNT DE FLORIDA BLANCA AGAINST  
COMMODORE GILLON.

[Translation.]

An American vessel of war has arrived at Corunna, having on board two soldiers, deserters from the Irish regiment of infantry. The commander of the province having claimed them, the captain refuses to deliver them up on any pretext whatever, pretending, among other reasons, that all his equipage belongs to his most Christian majesty. This is not at all probable, for if the officers and crew were subjects of France, it would have been improper to pass off the vessel for a frigate of the United States under the American flag. Besides, these deserters having fled to a French vessel of war, to the demand of their surrender by the Spanish commander it was replied, on the word of honor of the captain, that they were not on board; so that, supposing the frigate to be a French ship, there is reason to suppose that they would have been surrendered.

The Count de Florida Blanca has thought it necessary to inform Mr. Jay of these facts, in the full persuasion that he will have the goodness to write by the first post to the captain in such terms as to induce him to surrender the deserters; it shall be understood that they shall not be punished, and shall finish their engagements in their own corps, or in some other better paid.

Mr. Jay is too reasonable not to grant that it would be unjust for a vessel to appear in a port solely to require and receive all sorts of attentions and marks of respect



(without any previous claim or engagement), and at the same time to refuse to deliver up any subjects which it should have on board of the sovereign of the country in whose name all these tokens of respect have been rendered.

OCTOBER 8, 1781.

ANSWER TO THE ABOVE.

MADRID, *October 9, 1781.*

SIR: The letter which your excellency did me the honor to write on the 8th instant arrived this morning. I consider myself much obliged by the communication of the facts mentioned in it, especially as it affords me an opportunity of manifesting to his majesty and to Congress my attention to his rights and to their orders.

I perfectly agree in sentiment with your excellency respecting the impropriety of detaining on board the American frigate at Corunna the two men claimed by the commandant there as deserters from one of his majesty's regiments.

Your excellency's remarks on this subject are no less delicate than just; and your assurance that these men shall not be punished renders a compliance with the requisition to deliver them up no less consistent with humanity than with justice.

It gives me pleasure to confess that the hospitable reception given to American vessels in the ports of Spain gives his majesty a double right to expect that their conduct should at least be inoffensive. In the present case (as stated in your excellency's letter) I am so fully convinced of the justice of this demand, that I should not hesitate to comply with it, even though made on a similar occasion by the court of Portugal, from whose affected neutrality we suffer more evils than we should experience from any open hostility she is capable of executing.

Agreeably to your excellency's desire I have written a letter (of which the enclosed is a copy) to the commanding officer of the frigate in question; and as the manner in which your excellency's letter to me treats this subject can not fail making agreeable impressions on Americans, I shall take the liberty of sending a copy of it to Congress, as well as to the above-mentioned officer.

I can not omit this opportunity of expressing my acknowledgments for your excellency's promise to write to me from the Escorial as soon as you shall be in a capacity to speak positively on the subject of my late letter. Permit me only to remark that the season wears away fast, and that Congress must be extremely anxious to hear that the delays which have so long kept them in a disagreeable state of suspense are finally and happily terminated.

I have the honor to be, &c.,

JOHN JAY.

The letter written to the commanding officer of the frigate, a copy of which was furnished to the Count de Florida Blanca, is as follows:

TO COMMODORE GILLON.

MADRID, *October 9, 1781.*

SIR: The paper herewith enclosed is a copy of a letter which I received this morning from his excellency the Count de Florida Blanca, his Catholic majesty's principal secretary of state and minister for foreign affairs.

You will perceive from it that two men on board your frigate are claimed by this government as deserters from one of his majesty's Irish regiments of infantry; and that you are said to have refused to deliver them up because, among other reasons, your crew are the subjects of his most Christian majesty.

If the men in question are citizens of one or other of the United States of North America and admitted to be such, refusing to deliver them up as deserters from the service of Spain may be proper, because while their own country is at war they can not, without her consent, enter into the service of any other power.

If they are Spaniards, then they are the subjects of his Catholic majesty, and ought not to be withheld from him.

If they are foreigners, in that case, whatever right they might have to enter into the American service, they certainly had an equal one to enter into that of Spain; and if they had previously engaged with the latter, their subsequent enlistments with you were void, and Spain, being in friendship with us, has a just right to reclaim them.

If they deny their having enlisted in the Spanish service, still, like all other foreigners who come into this kingdom, they ought to submit to the justice of the country, and you ought not to screen them from it, especially as it can not be presumed that the charge made against them is destitute of probability.

As to the circumstance of your crew's being subjects of the King of France, I can not think that any argument to justify your detaining them can be drawn from it. For admitting them to be French subjects, yet as it may be lawful for them (Spain and France being allies) to enter into the service of Spain, the right of Spain to enlist must necessarily involve a right to compel obedience, and also to retake and punish deserters. Besides, as any questions about the legality of such enlistments concern only those two crowns, Americans can not with propriety interfere.

In whatever light I view this affair, I can not perceive the least right that you can have to detain these men after having been thus formally and regularly demanded by proper authority as deserters from the service of his Catholic majesty.

You may observe that I treat this subject merely as a question of justice, arising from that general law which subsists and ought to be observed between friendly nations.

I forbear making any remarks on the impolicy of your persisting to detain these men. I hope never to see America do what is right merely because it may be convenient. I flatter myself that her conduct will uniformly be actuated by higher and more generous principles, and that her national character will daily become more distinguished by disinterested justice and heroic magnanimity.

I shall take the earliest opportunity of transmitting a particular state of this affair to Congress, and I can not doubt but that your conduct will merit their approbation by being perfectly consistent with a just regard to the dignity and rights of a sovereign who has acted not only justly but generously towards our country.

If your reluctance to deliver up those men should have arisen from an apprehension of their suffering the punishment which on conviction would be due to their offences, that reluctance ought now to cease, because his excellency the minister has been pleased to assure me that they shall not be punished, but only obliged to fulfil those engagements which they ought to have honestly performed instead of deserting.

In short, sir, although on the one hand I will never advise or encourage you to violate the rights of the meanest man in the world in order to answer political purposes, yet, on the other, I shall always think it my duty to advise and encourage both you and others to render unto Cæsar whatever may belong unto Cæsar.

I am, &c.,

JOHN JAY.

In answer to this letter the Commodore wrote me one which, according to the state of facts mentioned in it, showed that the charge against him was precipitate, and, as he in that letter predicted, I have never since heard any thing further from the minister on the subject.

You may recollect that copies of certain letters from Colonel Searle and Mr. Gillon, which I had just received, were subjoined to my letter of the 3d of October last. These letters were soon followed by several others. Colonel Searle's representations against the Commodore's conduct were very strong, and tended to create an opinion that the

ship and public stores on her were in danger. He desired me to send some person to Corunna with proper instructions on the subject, and as an additional inducement offered to transmit to me through him some important information which had been confidentially communicated to him in Holland by Mr. Adams, and which he did not choose to hazard by a common conveyance.

Considering the nature of these representations and the limits and objects of my commission and instructions, it became a difficult question how far I ought and in what manner I could interfere. I finally judged it would not be improper to send Mr. Carmichael down with instructions to make a full inquiry into the facts alleged against the Commodore, and to use my influence with this government to stop the vessel for the present, in case on such inquiry there should arise a very strong presumption that such a step would be necessary to preserve her. Mr. Carmichael did not think that a business of this kind was within the duty of his appointment and he doubted his being able to ride post so far. This was a delicate business and the management of it could with propriety be only committed to one in whose prudence and circumspection much confidence might be reposed. It would have been improper for me to have undertaken it, because I could not justify exposing by my absence our negotiations for aids and a treaty to unseasonable delays.

Soon afterwards I received a very long exculpatory letter from the Commodore. This letter placed his transactions in a different point of view and inclined me to think that the proposed interposition on my part would have been unnecessary.

I forbear burthening these despatches with copies of the various letters I have received and written on this subject, as well because, as they relate to transactions in Holland and France with the public agents and ministers in those countries, they are not properly within my province as because they contain nothing of sufficient importance to make it necessary for me again to send further copies.

You will be pleased to observe that my last letter to the minister was dated the 9th of October and that there is a paragraph in it soliciting his speedy attention to the affairs on which he had promised to write to me. I received no answer. Some weeks elapsed and the same silence continued.

I consulted the ambassador of France as to the propriety of my going to the Escorial and endeavoring to prevail upon the minister to proceed in our affairs, observing that the measures of Spain with respect to us might be important, if not to this, yet to the next campaign, and that the sooner they were decided the better enabled Congress would be to regulate their future operations. He was of opinion that, as the minister had promised to give me notice of the time when he would be able to transact these affairs with me, it would be most prudent to wait with patience somewhat longer, and not by an appearance of too great solicitude to give him uneasy sensations. All things considered this advice appeared to me discreet, and I followed it.

Thus the month of October produced nothing but expectation, suspense, and disappointment.

About this time M. Gardoqui mentioned to me a singular ordinance which occasioned and is explained in the following letter from me to the minister, viz :

MADRID, *October 28, 1781.*

SIR: M. Gardoqui informs me that his majesty was pleased, in the month of March last, to order " that, when a prize taken by a French or Dutch vessel should arrive in a port of Spain, the marine judge of the district should reduce to writing the evidence of the capture and deliver it to the French or Dutch consul (as the case might be), to be by him transmitted to the admiralty from whence the commission of the captors issued, in order that the legality of the capture might there be tried, and, further, that the sentence which might there be passed should, on being duly certified to the aforesaid judge, be executed under his direction." I am also informed, that on the 12th instant his majesty was pleased to extend the above-mentioned order to prizes taken by American vessels of war and sent into any of the ports of Spain.

So far as this order affects the United States of America, I take the liberty of representing to your excellency that the execution of it will necessarily be attended with the following inconveniences:

1st. The distance of America from Spain is so great, and the intercourse between the two countries rendered so precarious by the war, that many months must unavoidably elapse before the sentence of an American court of admiralty can be obtained and executed here.

2dly. That by these delays all cargoes or parts of cargoes which may be of a perishable nature will be lost and the value of the vessel and rigging greatly diminished.

3dly. That, as his majesty has not as yet been pleased to grant the United States the privilege of having consuls in his ports, it is not in their power to provide for the transmission of the evidence of captures in the manner specified in the above-mentioned order.

4thly. That, in case the prize should be claimed as a neutral vessel, the claimants must either prosecute their claim in America or the sentence given there could not be influenced by it; and yet it is more probable that those claimants would endeavor to avoid that expense and trouble by applying here for an order to suspend the execution of the sentence, as well as for a trial of the merits of their claim by a Spanish tribunal; in which case the same cause would become subject to two jurisdictions and tried by two different independent courts in two different countries.

This order not being published, it is possible that my information respecting it may not be right in all its parts, though I have reason to believe, from the usual accuracy of M. Gardoqui (from whom I received this information), that I am not mistaken.

There is at present an American prize at Bilboa, and all judicial proceedings respecting it are now at a stand.

The importance of this subject to the United States, and in some measure to the common cause, will, I hope, apologize for my troubling your excellency with these remarks and for requesting that the embarrassments in question may be removed in such a manner as may be most agreeable to his majesty.

I have the honor to be, &c.,

JOHN JAY.

To this letter I never received any answer whatever. After waiting six or eight days, I asked M. Gardoqui, who almost daily applied to me on the subject, what could be the reason of so much delay in a case that admitted of so little doubt. He said he could only account for it by

supposing that the minister had sent for the original order, to prevent mistakes. I asked whether these royal orders were not regularly recorded at the time they were issued. He told me they were not.

For my own part, I rather suspect that this order treated us as an independent nation, and that the minister found it difficult to establish any general regulations respecting our prizes or commerce without meeting with that obstacle. M. Gardoqui informed me that one of the judges permitted him to read it, but would not let him take a copy of it, and that it only contained an extension to American prizes of the regulations before ordained for Dutch and French ones.

As to the prize at Bilboa, a particular order was issued in that case for selling the ship and cargo, on the captors giving security to produce, within a year, an exemplification of a sentence of an American court of admiralty to justify it.

On the 5th of November, M. Gardoqui communicated to me certain letters and papers, from which it appeared that the *Cicero*, Captain Hill, had been stopped at Bilboa, by an order of the minister, on a charge of improper conduct towards one of the king's cutters. Upon this subject I wrote the following letter to the Count de Florida Blanca, viz :

MADRID, November 6, 1781.

SIR: It gives me much concern to be informed that the conduct of Captain Hill, of the *Cicero*, an American private ship of war, towards one of his Catholic majesty's cutters, has been so represented to your excellency as to have given occasion to an order for detaining him at Bilboa.

This unfortunate affair is represented to me as follows :

That Captain Hill, with a prize he had taken, was going from Corunna to Bilboa. That in the night of the 26th of October last, he discovered an armed vessel approaching the prize. Captain Hill, suspecting it to be a Jersey privateer, hailed her, and ordered her to send her boat on board. They answered in English that their boat was out of repair. This circumstance increased his suspicions that she was an enemy, and induced him to insist on their sending a boat on board; which not being complied with, he was persuaded that it was an enemy, and accordingly gave them a broadside. Upon this they sent a boat to the *Cicero*, and convinced Captain Hill that the vessel was a Spanish cutter.

If this is really a true state of fact, and I have reason to believe it is, I am persuaded that your excellency will not think Captain Hill's conduct was unjustifiable, or contrary to the common usage in such cases. Having a valuable prize under his care, it was his duty to protect it, and as it was impossible for him at night to discover an enemy from a friend in any other manner than the one he used, the captain of the cutter certainly appears to have been remiss in not sending out his boat at first as well as at last.

Both the *Cicero* and her prize now lie at Bilboa, laden with valuable cargoes, and expected to sail from thence for North America on the 16th instant. The privateer alone has one hundred and forty men on board, and should they not be permitted to sail at the time appointed, a very considerable expense must inevitably be incurred, because they would be obliged to wait for the next spring tides.

As no American vessel can have the least temptation to violate the rights of Spain, but as, on the contrary, it is the well known interest, as well as disposition, of the United States to cultivate the friendship of his Catholic majesty, I am convinced that there was not, in this case, the least intention of disrespect to the Spanish flag. Permit me therefore to hope that your excellency will be pleased to permit the departure



of these vessels by a general order, or on Captain Hill's giving security for the payment of such damages as he may become chargeable with, on the issue of a judicial inquiry into this transaction.

I assure your excellency that no citizen of America will be countenanced by the United States in any improper conduct towards his Catholic majesty, or any of his subjects, and if I had the least reason to think that Captain Hill was in this predicament, it would give me much more pleasure to hear of his being punished than released.

I have the honor to be, &c.,

JOHN JAY.

The Count's answer to the above :

[Translation by Mr. Sparks.]

The Count de Florida Blanca has the honor to present his compliments to Mr. Jay, and to assure him that the information he has received relative to the affair of the *Cicero* privateer, as set forth in his letter of the 6th instant, is not correct, the Count having received from persons of respectability and entirely worthy of credit very accurate statements. It is therefore necessary that some suitable satisfaction should be given, in order to serve as an example to restrain the captains of the American privateers within proper bounds. This is the more necessary, as it is not the first time that we have had reason to complain of their conduct and to demand reparation.

ST. LORENZO, November 8, 1781.

REPLY TO THE ABOVE NOTE.

MADRID, November 12, 1781.

SIR: I have received the letter which your excellency did me the honor to write on the 8th instant.

It gives me pain to hear that the conduct of an American vessel of war should be so reprehensible as that of the *Cicero* has been represented to be. It is proper that I should inform your excellency that the captains of all American private ships of war give bond with sureties to fulfil the instructions they received with their commissions; and that these instructions enjoin them to behave in a proper manner towards friendly nations.

As the honor and interest of the United States render it highly necessary that their officers and citizens should, upon all occasions, pay the most scrupulous regard to the rights of other nations, I must request the favor of your excellency to communicate to me a state of the facts charged against Captain Hill, that by being transmitted immediately to America, Congress may be enabled to take such measures relative to him as to deter others from the commission of the like offences.

Your excellency would also oblige me by informing me how the satisfaction demanded of Captain Hill is to be ascertained, and to whom it is to be paid. As his remaining much longer in his present situation would be a great loss to his owners, I wish, for their sakes, that he may be released as soon as possible; and I am persuaded that your excellency will not think it necessary to detain him longer than until the satisfaction in question can be ascertained and paid.

I greatly regret that other American privateers have also given occasion to complaints. I assure your excellency that nothing on my part shall be wanting to prevent the like in future, and I am sure that Congress would consider themselves obliged, by your excellency's putting it in my power to convey to them exact details of any complaints against their officers.

I have the honor to be, &c.,

JOHN JAY.



Much reason has been given me to believe that the hard proceedings against Captain Hill were not justifiable, and the minister's declining to furnish me with a state of the facts supposed to be alleged against him speaks the same language. What intelligence the Count may have respecting this misconduct of any other of our armed vessels, I know not, nor have I heard any other insinuations of that kind, except what are contained in his note.

The Count omitted to take any notice of my last letter on this subject, and it was not before the 26th of November that the matter was determined by the order alluded to in the following polite letter:

[Translation.]

MY DEAR SIR: From respect to your excellency and to the American Congress the king has determined that Captain Hill, on satisfying, or giving security to satisfy, the damage he has done to one of our vessels, on account of which he is detained, shall be at liberty to return to his country when he pleases. For this purpose I communicate the enclosed order to the corregidor of Bilboa, and repeating myself to be at the service of your excellency, I pray God to preserve you many years.

COUNT DE FLORIDA BLANCA.

The next day I sent the Count some American papers which had just come to hand, and enclosed them with a card, in which there was this paragraph:

Mr. Jay has received the letter which his excellency did him the honor to write yesterday by M. Gardoqui, and is greatly obliged by the permission granted to Captain Hill to depart, as well as by the polite terms in which that circumstance is communicated to Mr. Jay.

As further remonstrance on this subject would have been useless, I thought it best to appear satisfied, and not, by any expressions of discontent, to hazard new obstacles to the attainment of our more important objects.

I must now return to the old subject. Although the Count had been some weeks at the Escorial, and I had in vain waited with great patience for the letter which the minister had promised to write to me on leaving St. Ildefonso, yet as many bills would become payable in December, and I was unprovided with funds, I thought it high time to remind the minister of my situation.

I therefore wrote him the following letter:

MADRID, November 16, 1781.

SIR: I find myself constrained to beseech your excellency to think a little of my situation. Congress flatter themselves that the offers they have made would certainly induce his majesty at least to assist them with some supplies. The residue of the bills drawn upon me remain to be provided for. Those payable in the next month amount to thirty-one thousand eight hundred and nine dollars. Would it be too inconvenient for your excellency to lend us this sum? Before January, when further bills would become payable, your excellency may probably find leisure to give me an answer respecting our propositions. The time presses; I entreat your excellency's answer. I can only add, that I am, with great consideration and respect, &c.,

JOHN JAY.

To this letter I never received any answer, and it is remarkable that the Count's subsequent letter of the 26th of November, announcing the permission given to Captain Hill to depart, does not take the least notice of it. Whatever might be the minister's real intentions as to furnishing me with the funds necessary to pay the bills to become due in December, it appeared to me imprudent to neglect any means in my power to provide for the worst. I therefore apprized Dr. Franklin (to whom I am under great obligations and have given much trouble) of my hazardous situation by the following letter :

MADRID, November 21, 1781.

DEAR SIR : It seems as if my chief business here was to fatigue you and our good allies with incessant solicitations on the subject of the ill-timed bills drawn upon me by Congress. It is happy for me that you are a philosopher, and for our country that our allies are indeed our friends. *Amicus certus in re incerta cernitur.*

This court continues to observe the most profound silence respecting our propositions.

I can not as yet obtain any answer to any of my applications for aids. Heretofore the minister was too sick or too busy. At present his secretary is much indisposed. I have requested that he would lend us for the present only as much as would satisfy the bills of December, viz., thirty-one thousand eight hundred and nine dollars; no answer. What is to be done? I must again try and borrow a little, and, as usual, recur to you. Thank God no new bills arrive; if they did, I should refuse to accept them; only a few straggling old ones now and then appear.

Would not the court of France, on your representing this matter to them, enable you to put an end to this unhappy business? Thirty thousand pounds sterling would do it. I am sure the evils we should experience from the protest of these bills would cost even France a vast deal more. You see my situation; I am sure I need not press you to deliver me from it if in your power.

I can not yet believe that all the assurances of this court will vanish into air. I still flatter myself that they will afford us some supplies, though not in season. I think we might very safely offer to repay the French court the proposed sum in America, for surely Congress would not hesitate to prefer that to the loss of their credit.

I enclose a newspaper, which gives us reason to indulge the most pleasing expectations. God grant they may be realized. I have a letter from Mr. Gerry dated at Marblehead the 9th of October. He was then in daily expectation of hearing that Lord Cornwallis and his army were our prisoners. He describes the last harvest as very abundant, and the general state of our affairs as very promising, much more so, indeed, than ever they have been.

I am, &c.,

JOHN JAY.

This letter was conveyed by a courier of the French ambassador. I did not choose, by putting it in the post-office, to give this court an opportunity of knowing that I was endeavoring to obtain a credit for the sum in question, lest that circumstance might become an additional motive with them to withhold their assistance.

In short, sir, the whole month of November wore away without my being able to advance a single step. M. del Campo's illness afforded a tolerable good excuse for delay during the latter part of November and the first three weeks in December.

On the 1st of December I found myself without any answer from Dr.

Franklin, with many bills to pay and not a farthing in bank. M. Cabarrus, fortunately for me, was willing as well as able to make further advances, and to him I am indebted for being relieved from the necessity I should otherwise have been under of protesting the bills due in that month.

The court removed from the Escorial to Madrid without having bestowed the least attention either on the propositions or different memorials on commercial matters which I had submitted to the minister.

It was natural to expect that our successes in Virginia would have made a very grateful impression on this court, but I am far from being persuaded that they considered these events as favorable to their views. Of this some judgment may be formed from their subsequent conduct.

On the 6th of December I sent the minister the following card and a memorial from Mr. Harrison at Cadiz, the nature of which will be best explained by a recital of it.

Mr. Jay presents his compliments to the Count de Florida Blanca, and has the honor of requesting his attention to the enclosed memorial.\*

Mr. Jay had the honor of calling at his excellency's on Tuesday evening last, but had the misfortune of not finding him at home. As Mr. Jay wishes to regulate his visits by his excellency's convenience, he begs the favor of his excellency to inform him when it would be agreeable that Mr. Jay should wait on his excellency and have an opportunity of conversing with him on the object of Mr. Jay's mission.

The answer I received to the letter which accompanied this memorial is as follows:

[Translation.]

The Count de Florida Blanca will receive Mr. John Jay whenever he may please to come in the evening at half past seven or later in his secretary's office in the palace, except on Saturday evening next, when he will be engaged.

This note was not dated, but I received it the 7th of December. On the same day I received a letter from General Washington, dated the 22d of October, and enclosing copies of the articles of capitulation of Yorktown and returns of prisoners, &c.

This letter was brought to France by the frigate which carried there the first intelligence of that important event, and yet it is remarkable that it did not reach me until after these articles had been published in the Paris and Madrid gazettes. I, nevertheless, immediately sent copies to the minister.

As to Mr. Harrison's memorial, no answer has been given it to this day. Nor, indeed, have any of the representations I have hitherto made to the ministers relative to commercial grievances procured the least redress. Even the hard case of the Dover cutter still remains unfinished, notwithstanding my repeated and pressing applications on behalf of the poor captors. It is now more than a year since the minister promised me that the cutter should be immediately appraised, and the value paid to the captors, one of whom afterwards came here, and, after

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\* This memorial, which is given in the original records, is from Mr. Harrison and others, complaining of Spanish custom-house exactions from American vessels.

waiting two or three months, returned to Cadiz without having received any other money than what I gave him to purchase his daily bread.

As the minister could not see me on Saturday evening, it was not till Monday evening, the 10th of December, that I had an opportunity to converse with him.

He began the conversation by observing that I had been very unfortunate, and had much reason to complain of delays, but that they had been unavoidable. That M. del Campo had been appointed near three months ago to treat and confer with me; that shortly after the court removed from St. Ildefonso that gentleman's health began to decline, and that his indisposition had hitherto prevented his attending to that or any other business, but that he hoped by the time the court should return from Aranjues (to which the king was then about to make a little excursion) he would be able to proceed on it, and that he should have the necessary instructions for the purpose.

I told the Count that these delays had given me great concern, and that I was very solicitous to be enabled to give Congress some positive and explicit information on the business alluded to. He replied that I must now confer on those subjects with M. del Campo, for that for his part his time and attention were so constantly engaged by other matters, that he could not possibly attend to this, especially while at Madrid, when he always enjoyed much less leisure than at the Sitios. He then proceeded to congratulate me on our late successes in Virginia; he assured me that the king rejoiced sincerely in those events, and that he himself was happy to see our affairs assume so promising an aspect. I was about to descend to particulars, and to remind the Count of the various memorials, &c., which still remain to be considered and despatched, when he mentioned he was engaged for the rest of the evening in pressing affairs. This intimation put an end to the conference.

It is somewhat singular that M. del Campo should have been appointed near three months past to treat and confer with me, and yet I should be left all that time without any information of it. It shows that the king is ready to do what may depend upon him, but that his ministers find it convenient to interpose delays without necessity, and without even the appearance of it.

After the king's return from Aranjues I took an opportunity of asking M. del Campo when I might promise myself the pleasure of commencing our conferences. He replied that his health was not as yet sufficiently reëstablished to permit him to do business. The fact, however, was otherwise.

On the 27th of December, I again waited on him for the same purpose. He told me it was very uncertain when our conferences could commence, and that he must first converse with the Count on the subject. I asked him whether he had not received his instructions. He answered that he had not, for that they were not as yet completed, nor, indeed, as he believed, as yet begun.

In this state things remained during the whole time the court continued at Madrid. Above a month since the date of my letter to Dr. Franklin about our bills had elapsed without an answer, nor had any prospects of obtaining aids here opened. I therefore wrote him the following letter:

MADRID, *December 31, 1781.*

MY DEAR SIR: I learn from Marquis d'Aranda that my letter of the 21st ultimo has reached you. The want of a good opportunity has for some time past prevented my writing to you so particularly as I could have wished.

Things remain here exactly in *statu quo*, except that your aid daily becomes more necessary, and will soon be indispensable. These are matters that require no explanation. I have received two letters, dated the 22d and 26th of November, from Mr. Adams on the subject of certain instructions, passed the 16th of August, which he had lately received, and of which I was ignorant until the arrival of these letters. I think them wise. A courier from France arrived here two days ago. By his return I hope to write you particularly, &c.

I am, etc.,

JOHN JAY.

On the 11th of January, I wrote the following letter to the Doctor by the ambassador's courier:

MADRID, *January 11, 1782.*

DEAR SIR: The last letter I had the pleasure of writing to you was dated the 31st ultimo, and referred to a former one of the 21st of November last, in which I stated my difficulties on account of the bills, the improbability of my obtaining any relief here, and consequently the necessity I was under of recurring to your interposition to save them from protest.

I have not as yet been favored with your answer. I can readily conceive that this affair has added not a little to your embarrassments, and therefore I lament, not complain of the delay. I borrowed from M. Cabarrus about thirty thousand dollars. He is not perfectly easy, and I have no prospect of borrowing more from him or others, at least without assurances of speedy repayment, which I am not in capacity to give. The court indeed owes me, on their old promise of one hundred and fifty thousand dollars, a balance of about twenty-five thousand six hundred and fifteen dollars, but I have no reason to rely on receiving it soon, if at all.

I also begin severely to feel the want of my back salary. It is in vain for me to expect it from America, and, unless you can supply it, it will be necessary for me immediately to disencumber myself of most of my expenses, and confine myself to mere necessities, until a change may take place for the better. This circumstance conspires, with those of a more public nature, to make me very solicitous to know what you can or can not do for me.

As to the affairs of the negociation, they have not advanced since Major Franks left me. The minister is too sick, or too busy, to attend to American affairs. He refers me to M. del Campo, who has been named for the purpose, and when I apply to him, he tells me that his instructions are not yet completed, and that he can not tell when they will be.

I am, &c.,

JOHN JAY.

I must, however, do the minister the justice to say that for some little time then past, and during the whole month of January, I have good reason to believe that he was greatly and constantly engaged in pressing business, for on speaking several times during that period to

the ambassador of France about the delays I experienced, and the propriety of pressing the minister to pay some attention to our affairs, he repeatedly told me that he knew the minister to be then extremely hurried, and advised me not to make any application to him for the present.

On the 26th of January, 1782, agreeably to a previous appointment, I had a long conference with the ambassador of France. I entered into a detail of the various pretexts and delays, which the minister had used to avoid coming to any decision on our affairs, and made some remarks on their keeping me suspended at present between the Count's incapacity to do business and M. del Campo's want of instructions.

I reminded the ambassador that the fate of the bills drawn upon me was a serious subject, and if protested might eventually prove injurious to France and Spain, as well as America, and that though France had already done much for us, yet that it still remained a question of policy whether it would not be more expedient for her to advance about thirty thousand pounds sterling to save these bills, than risk the expensive evils which the loss of our credit might occasion even to her. The ambassador seemed to admit this, but was apprehensive that the great and pressing demands for money caused by the great armaments which France was preparing to send to different parts of the world would render such an advance very inconvenient, if not impracticable.

I recapitulated in the course of the conference the various ill consequences which might result from protesting these bills. Among others, I hinted at the necessity I should be under of assigning to the world in those protests the true reasons which had occasioned them, viz: that I had placed too great confidence in the assurances of his Catholic majesty. The ambassador objected to this as highly imprudent, and as naturally tending to embroil the two countries, which was by all means to be avoided, even though I could make good the assertion. I then enumerated the various assurances I had at different times received from the minister, adding that, whatever might be the consequence, I should think it my duty to pay a higher regard to the honor of the United States than to the feelings of a court by whose finesse that honor had been drawn into question.

There was also another circumstance to which I desired him to turn his attention, viz., that as our independence had not been acknowledged here the holders of the bills might commence actions against me on them, and that it was easy to foresee the embarrassments which would result to all parties from such a measure. The ambassador saw this matter in the same point of view.

It appeared to me useful to take a general view of the conduct of Spain towards us ever since my arrival, and to observe the natural tendency it had to encourage our enemies, impress doubts on the minds of our friends, and abate the desire of Congress to form intimate connex-



ions with Spain; and that this latter consequence might become interesting also to France by reason of the strict alliance subsisting between the two kingdoms.

I begged the favor of him to give me his candid advice what would be most proper for me to do. He confessed that he was perplexed and at a loss what to advise me to; he hoped that the Dutch loan would enable Dr. Franklin to make the advances in question, and that, though he could not promise anything from his court, yet that he would write and do his best. He advised me to give the Doctor a full statement of our affairs here, but that I had already done by giving him the perusal of my letters to Congress of the 3d of October, &c.

He said he had written to the Count de Vergennes about the delays and embarrassments I had met with, and that he received for answer "that Spain knew her own business and interest, and that France had no right to press her on such points."

The ambassador advised me by all means to continue patient and moderate and to cherish the appearance of our being well with this court. I observed to him that one protested bill would dissipate all these appearances. He said that was very true; that he saw difficulties on every side, and that he really pitied my situation, for that these various perplexities must keep me constantly in a kind of purgatory. I told him if he would say mass for me in good earnest I should soon be relieved from it. He renewed his promise to write, and we parted.

The next day, viz., 27th of January, I received the following letter from Dr. Franklin:

PASSY, *January* 15, 1782.

DEAR SIR: Mr. Grand tells me that he hears from Madrid you are uneasy at my long silence. I have had much vexation and perplexity lately with the affair of the goods in Holland, and I have so many urgent correspondences to keep up that some of them at times necessarily suffer. I purpose writing fully to you next post. In the mean time I send the enclosed for your meditation. The cursed\* bills, as you justly term them, do us infinite prejudice; but we must not be discouraged.

I am ever, with the greatest esteem, &c.,

B. FRANKLIN.

The paper above mentioned to be enclosed is in these words:

COUNT DE VERGENNES TO B. FRANKLIN.

[Translation.]

VERSAILLES, *December* 31, 1781.

SIR: I have received the letter you did me the honor to write me the 27th instant. I shall not enter into an examination of the successive variations and augmentations of your demands on me for funds to meet your payments. I shall merely remark that whenever you shall consider yourself fully authorised to dispose of the proceeds of the Dutch loan, on behalf of Congress, I will propose to M. de Fleury to supply you with the million required as soon as it shall have been paid into the royal treasury. But I think it my duty, sir, to inform you that if Mr. Morris issues drafts on

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\* In Sparks' edition "ill-timed."

this same million I shall not be able to provide for the payment of them, and shall leave them to be protested. I ought also to inform you that there will be nothing more supplied than the million above mentioned, and if the drafts which you have already accepted exceed that sum it must be for you to contrive the means of meeting them. I shall make an exception only in favor of those of Mr. Morris, provided they shall not exceed the remainder of the Dutch loan after deducting the million, which shall be placed at your disposal, and the expenses of the loan.

I have the honor to be, &c.,

DE VERGENNES.

P. S.—I remit to you herewith the letter of Mr. Grand.

Although this letter of Dr. Franklin does not in express terms promise me the aid I had desired, yet the general tenor of it, together with the grant of the million mentioned by the Count de Vergennes, led me to suppose, that on the receipt of it he would be able to make me the necessary advances. Under this idea I returned the following answer to the Doctor's letter:

MADRID, *January 30, 1782.*

MY DEAR SIR: I had yesterday the satisfaction of receiving your favor of the 15th instant. You will find by a letter, which I wrote you on the 11th instant, that I imputed your silence to its true cause, being well persuaded that the same attention you have always paid to the public affairs in general, would not be withheld from those which call for it in this kingdom.

I am happy to find that you have a prospect of terminating the difficulties which the bills drawn upon me have occasioned, and though I can not but observe that Count de Vergennes' letter is peculiarly explicit and precise, yet I must confess I should not have been surprised if it had been conceived in terms still less soft. Would it not be well to transmit a copy of it to Congress? France has done and is still doing so much for us, that gratitude, as well as policy, demands from us the utmost moderation and delicacy in our applications for aids; and considering the very singular plan of drawing bills at a venture, I think we have no less reason to admire the patience, than to be satisfied with the liberality of our good and generous allies.

M. de Neuville had given me a hint of the embarrassments occasioned by the affair of our goods in Holland.

It seems as if trouble finds its way to you from every quarter. Our credit in Holland leans upon you on the one hand, and in Spain on the other. Thus you continue, like the keystone of an arch, pressed by both sides and yet sustaining each. How grateful ought we to be to France for enabling you to do it.

Mr. Joshua Johnson, in a letter dated the 18th instant, mentions the arrival at Nantes of the brig *Betsy* from Philadelphia, that she brought letters for me, and that the captain put them in the post-office. None of them have as yet reached me.

I have received too many unequivocal proofs of your kind attention to render a punctilious return of line for line necessary to convince me of it. Let such ideas, therefore, be banished, and be assured that matters of ceremony and etiquette can never affect the esteem and affectionate regard with which I am, &c.,

JOHN JAY.

Not having heard anything further from M. del Campo respecting his instructions, I wrote him on that subject as follows:

MADRID, *February 1, 1782.*

Mr. Jay presents his compliments to M. del Campo, and requests to be informed whether he has as yet received the instructions necessary to enable him to execute his appointment relative to the affairs of the United States at this court.

Mr. Jay begs leave again to mention his being ready and anxious to enter with M. del Campo into the discussion of these affairs at any time and place that may be agreeable to him.

On the 5th of February I received the following answer :

[Translation.]

M. del Campo has the honor to address his compliments to Mr. Jay, and to transmit him several bundles of letters which he has just received. He regrets that he is obliged to inform Mr. Jay that the Count, by reason of the delicate state of his health, and other difficulties, has not yet been able to arrange the instructions under consideration.

THE PARDO, *February 3, 1782.*

(Here follows description of the papers.)

The packets mentioned in the above note were the first public letters I have had the honor of receiving from you.

I afterwards found that these despatches were brought to Cadiz from Philadelphia by the brig *Hope*. How they came into M. del Campo's hands I am not informed. On the same day (February 5, 1782,) I received a letter from Dr. Franklin, which almost entirely dissipated my hopes of aid from him. The following extract from it contains every part of it, except a few paragraphs that have no relation to our affairs here.

PASSY, *January 19, 1782.*

DEAR SIR : In mine of the 15th I mentioned my intention of writing fully to you by this day's post. But understanding since that a courier will soon go from Versailles, I rather choose that conveyance.

I received duly your letter of November 21st, but it found me in a very perplexed situation. I had great payments to make for the extravagant and very inconvenient purchase in Holland, together with large acceptances by Mr. Adams of bills drawn on Mr. Laurens and himself, and I had no certainty of providing the money. I had also a quarrel upon my hands with Messrs. de Neufville and others, owners of two vessels hired by Gillon to carry the goods he had contracted to carry in his own ship. I had worried this friendly and generous court with oft-repeated after-clap demands, occasioned by these unadvised (as well as ill-advised) and, therefore, unexpected drafts, and was ashamed to show my face to the minister. In these circumstances I knew not what answer to make you. I could not encourage you to expect the relief desired, and, having still some secret hope, I was unwilling to discourage you, and thereby occasion a protest of bills which possibly I might find means of enabling you to pay. Thus I delayed writing perhaps too long.

But to this moment I have obtained no assurance of having it in my power to aid you, though no endeavors on my part have been wanting. We have been assisted with near twenty millions since the beginning of last year, besides a fleet and army ; and yet I am obliged to worry them with my solicitations for more, which makes us appear insatiable.

This letter will not go before Tuesday. Perhaps by that time I may be able to say explicitly yes or no.

I am very sensible of your unhappy situation, and I believe you feel as much for me.

You mention my proposing to repay the sum you want in America. I tried that last year. I drew a bill on Congress for a considerable sum, to be advanced me here, and paid there in provisions for the French troops. My bill was not honored.

I was in hopes the loan in Holland, if it succeeded, being for ten millions, would have made us all easy. It was long uncertain. It is now completed. But, unfortunately, it has most of it been eaten up by advances here. You see, by the letter of which I sent you a copy, upon what terms I obtain another million of it. That (if I get it) will enable me to pay the thirty thousand dollars you have borrowed, for we must not let your friend suffer. What I am to do afterwards, God knows.

I am much surprised at the dilatory and reserved conduct of your court. I know not to what amount you have obtained aids from it, but if they are not considerable it were to be wished you had never been sent there, as the slight they have put upon our offered friendship is very disreputable to us, and, of course, hurtful to our affairs elsewhere. I think they are short-sighted, and do not look very far into futurity, or they would seize with avidity so excellent an opportunity of securing a neighbor's friendship, which may hereafter be of great consequence to their American affairs.

If I were in Congress I should advise your being instructed to thank them for past favors, and take your leave. As I am situated, I do not presume to give you such advice, nor could you take it if I should. But I conceive there would be nothing amiss in your mentioning in a short memoir the length of time elapsed since the date of the secret article, and since your arrival; to urge their determination upon it, and pressing them to give you an explicit, definitive, immediate answer whether they would enter into treaty with us or not, and, in case of refusal, solicit your recall, that you may not continue from year to year, at a great expense, in a constant state of uncertainty with regard to so important a matter. I do not see how they can decently refuse such an answer. But their silence after the demand made should, in my opinion, be understood as a refusal, and we should act accordingly. I think I see a very good use that might be made of it, which I will not venture to explain in this letter.

I know not how the account of your salary stands; but I would have you draw upon me for a quarter at present, which shall be paid, and it will be a great pleasure to me if I shall be able to pay up all your arrears.

Mr. Laurens being now at liberty perhaps may soon come here, and be ready to join us if there should be any negotiations for peace. In England they are mad for a separate one with us, that they may more effectually take revenge on France and Spain. I have had several overtures hinted to me lately from different quarters, but I am deaf. The thing is impossible. We can never agree to desert our first and our faithful friend on any consideration whatever. We should become infamous by such abominable baseness.

With great and sincere esteem, I am ever, &c.,

B. FRANKLIN.

You will easily perceive, sir, that my situation now became very unpleasant; largely indebted to M. Cabarrus, and without funds, as well as almost without the hopes of speedily procuring any, either to satisfy him or pay the swarm of bills that would be payable in the next month.

M. Cabarrus had offered to advance, or rather to supply, me with any sum of money that the minister would authorise him to furnish, on the same terms on which he procured money for the government. The answer I received to this proposition was, that the government had occasion for all the money that M. Cabarrus could possibly collect. He also repeatedly offered to advance the money wanted for the month of March if the minister or the ambassador of France would become responsible for the repayment of it, with interest, within a reasonable *time*, sometimes mentioning seven months, and at others extending it

to ten or twelve. The ambassador did not conceive himself authorised to enter into any such engagement, and the minister remained silent; M. Cabarrus began to grow uneasy, and a day was appointed between us to confer on this subject. Some intervening business, however, prevented his attendance, and on the 10th of February he wrote me the following letter:

[Translation.]

MADRID, *February* 10, 1782.

SIR: I was summoned yesterday to the Pardo, which prevented me from paying you my respects as I had intended. Not knowing whether I shall be able to do it before Tuesday, I write to inform you that it will be necessary for me to know on what I am to depend in regard to the reimbursement you were to make me by drafts on Paris. You are aware that I have actually advanced seven hundred and fifty thousand reals vellon. Independently of this sum, on the 14th of March, which we are now approaching, nearly thirty-five thousand dollars of your bills will become due. I will not conceal from you that, although this double advance is neither beyond my means nor my disposition, yet the former is entirely absorbed by the necessities of the Government; so that I shall be the more desirous that you would enable me to meet these engagements, as I shall always find a difficulty in disposing of your paper. I speak to you frankly, since I shall always endeavor, as I have heretofore done, to serve you in the same spirit.

I have the honor to be, &c.

CABARRUS.

By way of answer to this letter I instructed Mr. Carmichael to inform M. Cabarrus of the exact state I was in, with respect to my expectations of aid both here and from France, for I did not choose to commit a matter of this kind in writing to M. Cabarrus' discretion. I could not give him positive assurances of being speedily repaid, either by a credit on Dr. Franklin or by money to be obtained here; but I submitted to his consideration the improbability that this or the French court would permit these bills to be protested, and assured him that Dr. Franklin was using his best endeavors in our favor, and had so far succeeded as to encourage me to expect that he would soon be able at least to replace the sum which M. Cabarrus had already advanced to me.

The next day, viz., the 11th day of February, I waited upon the ambassador of France. I represented to him in the strongest terms the critical situation of our credit, and communicated to him the contents both of Dr. Franklin's and M. Cabarrus' letters.

I requested him to speak seriously and pressingly to the minister on the subject, and to remind him that M. Cabarrus' offer was of such a nature as to remove any objection that could arise from the low state of the public funds. The ambassador was just then setting out for the Pardo. He promised to speak to the minister accordingly, and that his secretary, the Chevalier de Bourgoing (who has been very friendly and given himself much trouble on this occasion), should inform me of the result in the evening.

I received in the evening the following letter from the Chevalier de Bourgoing, viz:

[Translation.]

SIR: The dreadful weather to-day prevents me from coming to inform you orally what M. de Montmorin has to communicate to you in pursuance of his interview of this morning. I give you the result briefly.

The minister, being informed of your embarrassment, feels for you sincerely, and would be glad to remedy it. He will make every effort; but as the actual necessities of the government are pressing, he can not answer for his success. He assures Mr. Jay that if the misfortune he apprehends should take place, Mr. Jay may be perfectly easy in regard to personal consequences, as the minister will take care that no inconvenience shall follow it.

I have thought that these few lines would serve to calm your apprehensions until M. de Montmorin shall have an opportunity to give you further information.

I have the honor to be, &c.,

DE BOURGOING.

I returned by the bearer of the above letter the following answer:

Mr. Jay presents his compliments to the Chevalier de Bourgoing. The minister's answer to the ambassador is polite and cautious, and if sincere (which time can only ascertain), will demand Mr. Jay's thanks and acknowledgments.

The minister is mistaken if he supposes that Mr. Jay views personal consequences as of any other importance than as they may affect the political interests of the two countries, and when considered in that light, they merit a degree of attention to which mere personal considerations could not entitle them.

Mr. Jay requests the favor of the Chevalier to present his cordial acknowledgments to the ambassador for his friendly interposition on this occasion, and to assure him that Mr. Jay will never cease to be influenced by the gratitude which every American owes to the first friend and steadfast ally of the United States.

MADRID, *February 11, 1782.*

I also wrote this evening to Dr. Franklin, and I insert the following extracts from the letter, because they contain matters proper for you to know:

MADRID, *February 11, 1782.*

DEAR SIR: I have been so engaged these two days as not to have had time to reply fully to yours of the 19th ultimo.

I flattered myself that the loan in Holland would have afforded funds for all our bills and present demands, and am sorry to hear that this is not the case. Could not that loan be extended to a further sum?

The conduct of this court bears few marks of wisdom. The fact is, they have little money, less credit, and very moderate talents.

My ideas correspond exactly with yours respecting the propriety of presenting such a memoir as you propose. The ambassador of France, however, is decided against it, and it appears to me imprudent to disregard his opposition.

I have not as yet received a single letter by or from the Marquis de la Fayette.

I am, &c.,

JOHN JAY.

On the 15th of February the first advices of the surrender of Fort St. Philip arrived, and the ambassador of France having been informed at the Pardo that M. del Campo's instructions would be completed by the end of the week, I thought both of these circumstances rendered it proper that I should pay the minister a visit. I accordingly went to



the Pardo the next evening. The minister was too much indisposed (as was said) to see company. He sent me an apology and a request that I would speak to M. del Campo, who was then in the Secretary's office. I did so.

I found M. del Campo surrounded by suitors. He received me with great and unusual civility and carried me into his private apartment. I told him that as he was evidently very busy I could not think of sitting down and wished only to detain him a few minutes. He said that he was indeed much engaged, but that we might nevertheless take a cup of chocolate together. I mentioned to him in a summary way the amount of the bills which remained to be paid and the promises made by the minister to the ambassador on that subject, desiring that he would be so obliging as to give that business all the despatch in his power. He replied that the urgent demands of Government rendered advances of money very inconvenient; that the minister had not mentioned to him anything on that head, but that he would speak to him about it. I told him that as the greater part of these bills would be payable in March, I was anxious to see the arrangements for paying them speedily made; that my hopes were chiefly confined to this court, for that France having this year supplied us with near twenty millions, besides a fleet and army, it would be unreasonable to ask for more. To this he remarked that France received from us with one hand (in the way of commerce) what she paid out with the other, whereas Spain was called upon for supplies without enjoying any such advantage. I told him if he had been more at leisure it would have given me pleasure to have entered with him into the discussion of that point. I nevertheless observed that Spain was indebted to the American war for the recovery of West Florida and the possession of Minorca, and that the time would come and was approaching when Spain would derive essential benefit from our trade and independence; that he overrated the value of our commerce to France, which at present did not compensate for the expenses she sustained on our account.

I mentioned to him M. Cabarrus' offer in very precise terms, and told him I was glad to hear from the ambassador that his instructions were nearly completed. He avoided saying whether they were or not, but answered generally that he hoped things would soon be settled to the satisfaction of all parties; that it would always give him pleasure to treat with me; that he was much my friend; that he esteemed my private character, and many such like compliments improper as well as unnecessary for me to commit to paper. He promised to speak to the minister and to write me his answer. I desired him to present my congratulations to the Count, and to inform him how much I regretted the indisposition which prevented his seeing company that evening.

All this looked very fair, but experience had taught me that professions were sometimes insincere. On the 18th of February I communicated the substance of this conference to the ambassador of France,

requesting him to remind the minister of his promise and to press the importance of his performing it. The ambassador promised to take every proper opportunity of doing it. On the 24th of February, your letter by the Marquis de la Fayette arrived safe.

On the 25th of February, I received the following letter from M. Cabarrus, viz:

[Translation by Mr. Sparks.]

MADRID, *February 25, 1782.*

SIR: I have the honor to remit you herewith three accounts relative to the payments made for you, viz:

One of the 4th of October last, signed by the former house of Cabarrus and Aguirre for payment of which I have credited you 46,447 reals vellon. A second, signed by me the 7th of November following, settled by 135,715-10 reals vellon, carried to your credit. A third signed also by me, dated the 19th instant, and balanced by 667,170-17 reals vellon, which I have credited you with. In support of these accounts, I transmit you the original vouchers, and beg you to proceed to the verification of both to assure me of their reception and correctness. I flatter myself that you will take measures for my speedy reimbursements, and I ask it with the more urgency as I have a pressing necessity for this sum, on the payment of which I have relied.

I have the honor to be, &c.,

CABARRUS.

This letter needs no comments; it breathes the fears and precautions of a creditor striving to make the most of a failing debtor, and therefore I considered this letter as inauspicious. I returned a verbal answer, that an examination of these accounts must precede a settlement of them, and that as to a speedy payment of the balance due to him he knew my exact situation.

A day or two before the date of this letter, M. Cabarrus had a conference with the minister on these subjects, and according to M. Cabarrus' representations, the minister then declared that he would pay the balance due on the one hundred and fifty thousand dollars, and no more; that the king was dissatisfied at America's having made no returns to his good offices, either in ships or flour, &c., &c.; that he had mentioned to me a year ago his desire of having the men-of-war building in New England, but had not yet received an answer, &c.

It appeared to me very extraordinary, that the minister should promise the ambassador to do his best, and yet tell M. Cabarrus that he would do nothing, and yet so I believe were the facts.

The next morning, viz., 26th of February, I paid the ambassador an early visit, and mentioned these circumstances to him minutely. I expressed my apprehensions that the pretended discontents of the king belonged to the same system of delays and pretexts with which we had been so long amused, and which in this instance were probably dictated by a desire of avoiding inconvenient advances.

I reminded him that Dr. Franklin had given me expectations of his being able to replace the money I had borrowed of M. Cabarrus, and that this sum, added to the balance to be paid by the court, would reduce the remainder of the money wanted to less than twenty thou-

sand pounds sterling, and that it would appear a little surprising in the eyes of Europe as well as America that our credit should be permitted either by France or Spain to suffer essential injury for the want of such a sum. I requested him to advise me what to do. He said that he knew not what advice to give me; that he saw no resources anywhere; that he should dismiss a courier on Saturday next, and that he would again write to the Count de Vergennes on the subject. I observed to him that the answer, if favorable, would probably come too late, as a great number of the bills would become payable about the 14th of March. He replied that, if the court should resolve to supply the money, he should soon be informed of it.

We had some conversation about the Marquis de la Fayette. The ambassador spoke well of him; and, as a proof of the confidence of Congress in the attachment of that nobleman, I mentioned my having received orders to correspond with him.

I then drew the conversation to our affairs in Holland and the prospects of an alliance with the Dutch. He said these prospects were less fair than ever; for that though Mr. Wentworth had been sent there by England on pretense of settling a cartel, yet that his real business was to negotiate a separate peace. I observed that in my opinion England would be the first nation to acknowledge our independence (for there are many reasons that induce me to think that France does not in fact wish to see us treated as independent by other nations until after a peace, lest we should become less manageable in proportion as our dependence upon her shall diminish). I threw out this opinion to see how it would strike him. He made a short pause, and then asked me if I had heard that Lord Germain had resigned. I told him I had; and, as he chose to waive the subject, I did not resume it, lest he should from my pressing it suspect that I meant more than a casual remark. The conversation then turned upon our affairs here. I remarked that the friends of Spain in America must greatly diminish; that the manner we were treated by this court was far from conciliatory, and that it would perhaps have been better as things have turned out if America had not sent a minister here. He gave in to this opinion, but added, we must be contented here now during the war; that Spain was necessary; that she was to be treated like a mistress. He also said that if I had been landed in France instead of Spain I should not probably have come to Madrid so soon as I did, and was going to explain himself when the entry of his servants with breakfast interrupted us.

Having made it a rule to give Dr. Franklin frequent and minute information of my situation, I wrote him the following letter by the ambassador's courier:

MADRID, *March 1, 1782.*

MY DEAR SIR: I have lately received a very friendly letter from the Marquis de la Fayette, covering some despatches from Mr. Livingston. I find that the objects of his voyage are interesting to us, and that it is the desire of Congress that we

should correspond with him. My answer to his letter is herewith enclosed. Peruse and dispose of it.

I have given him a summary account of my situation here. He will doubtless be willing and perhaps able to afford you assistance relative to the difficulties it imposes upon you.

The minister has ordered the balance due (about twenty-six thousand dollars) on the one hundred and fifty thousand dollars to be paid to M. Cabarrus on my account, and has through him informed me that no more is to be expected.

M. Cabarrus is exceedingly anxious about the money we owe him, and which the twenty six thousand dollars he is to receive will not pay.

He declines making further advances. The ambassador of France can afford me no resources. M. Cabarrus is ready to supply what we may want on the promise of either France or Spain to repay him in ten or twelve months.

The ambassador will write (by a courier to France, who sets out to-morrow) on these subjects to the court. All that remains in my power is to endeavor to keep the public creditors quiet until his or your final answer shall arrive. That this court should permit our credit to be ruined for the want of about twenty-five thousand pounds sterling, does not greatly surprise me; but I should be astonished if the minister of France should act the same part, for I have a high opinion of his wisdom.

I am, &c.,

JOHN JAY.

I forbear inserting my letter to the Marquis, because this and my former letters render it unnecessary. I solicited his immediate attention to the state of our bills, &c.

As there could be no doubt but that the minister mentioned to M. Cabarrus the king's discontents, by way of apology for not granting further supplies, and with design that they should be represented to me in that light, I thought it prudent to write to the minister on the subject, although, in other circumstances, it might have been more proper for me to have omitted taking notice of such an indirect communication. I wrote him as follows:

MADRID, *March 2, 1782.*

SIR: M. Gardoqui informed me yesterday that he had received an order to pay to Mr. Cabarrus, on my account, twenty-six thousand dollars, being somewhat more than the balance due on the one hundred and fifty thousand dollars, and for which be pleased to accept my thanks and acknowledgments.

As the residue of the bills drawn upon me by Congress does not amount to a great sum, and as M. Cabarrus had generously offered to furnish it, provided your excellency would give him assurances of its being repaid in ten or twelve months, I had flattered myself that his majesty's friendship for my country would have induced him by this further proof of his goodness to save the necessity I shall otherwise be under to protest them, and thereby ruin the credit of Congress at so critical a period.

It is with great pain I hear his majesty is displeased with the silence of Congress respecting returns, on their part, to the friendship of Spain, and particularly in not having offered to comply with the propositions made by your excellency relative to the ships building in New England, &c.

Permit me to observe to your excellency that the long and constant expectation of M. Gardoqui's arrival in America, with full powers on these subjects, naturally induced Congress to postpone coming to any resolution on them until they should have the pleasure of seeing him. They were well apprized of my ignorance respecting such matters, and therefore could not, with any propriety, refer to my discretion the entering into engagements on subjects with which I was wholly unacquainted. I

am authorized to assure your excellency of the readiness of Congress to make every return in their power to the kindness of his majesty, and there is reason to hope that by the end of the next campaign, their abilities may be more proportionate to their wishes than they have hitherto been.

Your excellency will also be pleased to recollect that the propositions of Congress respecting the Mississippi evince a strong desire to oblige his majesty, and that reason has been given me to hope that their compliance in that instance would be followed by new proofs of his majesty's good disposition towards us.

I must candidly confess to your excellency, that I now find myself entirely without resources.

The ambassador of France can afford me no assistance, and my only remaining hope arises from that reliance on his majesty's friendship and magnanimity, which your excellency has so often encouraged me to entertain and confide in.

I have the honor to be, &c.,

JOHN JAY.

This letter, if I may use the expression, might have been higher mounted, and the strange conduct of this court would have justified my writing in a different style, but I feared that offence might have been taken, though, perhaps for no other purpose than to cover a refusal to aid us with a plausible pretext.

Although I had little confidence in M. del Campo's late professions of friendship, yet, as the present occasion afforded an opportunity of trying their sincerity, and as men ill disposed towards us are sometimes pushed into acts of friendship, merely by an opinion of their being thought friendly, I enclosed the above letter in the following note to him:

MADRID, *March 2, 1782.*

Mr. Jay presents his compliments to M. del Campo, and takes the liberty of enclosing a letter to his excellency the Count de Florida Blanca, which he requests the favor of him to deliver.

M. del Campo may not, perhaps, in future have an opportunity of rendering a more welcome and interesting proof of his friendship for America than at present, and Mr. Jay will esteem his country and himself greatly obliged by M. del Campo's friendly attention and interposition on this occasion.

A week elapsed without my receiving any answer either from the minister or M. del Campo. The time when our bills would be due was drawing very nigh. My expectations of aid from France were at best uncertain, and every consideration urged me not to leave anything in my power undone here, to avoid the catastrophe I had so much reason to apprehend. I therefore concluded to wait on the minister and in a plain and pointed manner enter into a detail of the reasons given us to expect supplies from this court, and the impolicy of withholding them.

For this purpose I went to the Pardo on the 9th of March.

The minister received me with great cordiality; he was in uncommon good spirits. He entered largely into the nature of his indisposition; the effect of the weather upon his nerves and how much he found himself the better for the last three fine days; and after we had conversed awhile about the conquest of Minorca and the importance of it, he said



he supposed that I wished also to speak to him on the subject of our affairs.

I told him that was really the case, for that the bills which remained to be paid, and the want of funds for the purpose gave me great uneasiness. He interrupted me by remarking that he had ordered the balance due on the one hundred and fifty thousand dollars to be paid. That the public exigencies had even rendered this payment inconvenient, but that he was an honest man, a man of his word and, therefore, as he had promised me that sum he was determined that I should not be disappointed. That as to further aids he could promise nothing *positively*, that he would *do his best*, and, shrugging his shoulders, intimated that he was not minister of finance.

I observed that the sum now wanted was not very considerable, and that M. Cabarrus' offer rendered the advancing of it very easy. He was in a very good humor, and after a few hesitations he told me cheerfully and smilingly, that when I found myself very hard pressed I should desire M. Cabarrus to wait upon him.

This I considered as an implied consent to comply with M. Cabarrus' offer in case such a step should become absolutely necessary to save our bills, and I imagined he chose to delay it as long as possible in hopes that the French ambassador might in the meantime interpose his credit as he had before done on a similar occasion. I was content that the matter should rest there, and would not hazard losing what I thought I had gained by requiring more at present.

I thanked him for this mark of favor and then turned the conversation to Major Frank's arrival, and my anxiety to communicate some certain intelligence to Congress relative to the proposed treaty and what they might expect on that head.

The Count went into a detail of excuses for the delays which had ensued since our leaving St. Ildefonso. His indisposition and that of M. del Campo, his forgetting to give M. del Campo the papers, and M. del Campo's neglecting to ask for them were the chief topics from which these excuses were drawn. He said the ambassador of France had talked to him about the matter eight days ago, and he promised me that the conferences should begin at Aranjues, to which place the court would soon remove. He authorized me to communicate this to Congress, adding that pressing business obliged him to postpone it till then, though I might now begin to speak on the subject to M. del Campo if I pleased.

I remarked that I had so often disappointed Congress by giving them reasons soon to expect M. Gardoqui, that I wished to be enabled to give them accurate information on that point. He replied that a variety of particular circumstances had intervened to prevent his departure, but that he *certainly* should go unless he made personal objections to it, and that *I might tell Congress so*.

I rose to take my leave. *He repeated what he had before said respecting*



*my sending M. Cabarrus to him*, and assured me of his disposition to do what he could for us. I again thanked him and we parted in great good humor.

It is remarkable that during the course of this conference, which was free and diffusive, the minister did not mention a syllable of the king's discontents, nor hint the least dissatisfaction at the conduct of Congress towards this court. I cautiously avoided making any harsh strictures on the delays I constantly met with, and though the minister's excuses for them were frivolous and merely ostensible, yet it could have answered no good purpose to have declared that opinion of them, especially at so delicate a period of our affairs.

As many bills to a considerable amount would be payable on the 14th of March, I thought it high time that the minister should declare his intentions at least a day or two before, and therefore I desired M. Cabarrus to wait upon the minister and confer with him upon the subject. M. Cabarrus accordingly went to the Pardo on the evening of the 11th of March. He saw the minister and mentioned the purpose of his visit. The minister said I must have misunderstood him; that it was not until the last extremity that I was to send him, and he desired M. Cabarrus to inform him when that should arrive. M. Cabarrus repeated to me his former offers and assured me that nothing on his part should be wanting.

The Madrid Gazette of the 12th of March contained a paragraph of which you ought not to be ignorant. I shall, therefore, copy it *verbatim*, and add a translation as literal as I can make it:

By a letter from the commandant-general of the army of operations at the Havana, and governor of Louisiana, his majesty has advices that a detachment of sixty-five militia men and sixty Indians of the nations Otaguos, Sotn, and Pntuami, under the command of Don Eugenio Purre, a captain of militia, accompanied by Don Carlos Tayon, a sub-lieutenant of militia, by Don Luis Chevalier, a man well versed in the language of the Indians, and by their great chiefs Eleturno and Naquigen, who marched the 2d of January, 1781, from the town of St. Luis of the Illinois, had possessed themselves of the post of St. Joseph, which the English occupied at two hundred and twenty leagues distance from that of the above-mentioned St. Luis, having suffered in so extensive a march, and so rigorous a season, the greatest inconveniences from cold and hunger, exposed to continual risks from the country being possessed by savage nations, and having to pass over parts covered with snow, and each one being obliged to carry provisions for his own subsistence, and various merchandizes which were necessary to content, in case of need, the barbarous nations through whom they were obliged to cross. The commander, by seasonable negociations and precautions, prevented a considerable body of Indians, who were at the devotion of the English, from opposing this expedition; for it would otherwise have been difficult to have accomplished the taking of the said post. They made prisoners of the few English they found in it, the others having perhaps retired in consequence of some prior notice. Don Eugenio Purre took possession in the name of the king of that place and its dependencies, and of the river of the Illinois; in consequence whereof the standard of his majesty was there displayed during the whole time. He took the English one, and delivered it on his arrival at St. Luis to Don Francisco Cruyat, the commandant of that post.

The destruction of the magazine of provisions and goods which the English had

there (the greater part of which was divided among our Indians and those who lived at St. Joseph, as had been offered them in case they did not oppose our troops,) was not the only advantage resulting from the success of this expedition, for thereby it became impossible for the English to execute their plan of attacking the fort of St. Luis of the Illinois; and it also served to intimidate these savage nations, and oblige them to promise to remain neuter, which they do at present.

When you consider the ostensible object of this expedition, the distance of it, the formalities with which the place, the country, and the river were taken possession of in the name of his Catholic majesty, I am persuaded it will not be necessary for me to swell this letter with remarks that would occur to a reader of far less penetration than yourself.

I will therefore return to our bills.

The 14th of March arrived, the bills then due were presented, and I prevailed upon the holders of them to wait till the next day at noon for my answer. As the last extremity in the most literal sense had now arrived, I presumed that the minister would not think me too hasty in requesting his determination. I wrote him the following letter, and sent it by the post, which passes every evening between Madrid and the court :

MADRID, *March 14, 1782.*

SIR: Bills to a considerable amount have been presented to me this afternoon for payment. The holders of them consent to wait until to-morrow noon for my positive and final answer.

Your excellency is too well apprized of everything that can be said on this subject to render it necessary for me to multiply observations upon it.

I have no reason to expect aid from France, and I request the favor of your excellency to inform me explicitly whether I may flatter myself with any, and what relief from the friendly interposition of his majesty.

I have the honor to be, &c.,

JOHN JAY.

I thought it advisable to send a copy of the above letter to the ambassador of France with the following note:

Mr. Jay presents his compliments to his excellency the ambassador of France, and has the honor of transmitting herewith enclosed a copy of a letter he has written this evening to the Count de Florida Blanca.

The ambassador will perceive from this letter in what a critical situation Mr. Jay finds himself. He requests the favor of the ambassador's advice, and will do himself the honor of waiting upon him in the morning to receive it.

MADRID, THURSDAY EVENING, *March 14, 1782*

On this day, being Thursday, on which day in every week M. Cabarrus had for some time past kept an open table, M. del Campo was unexpectedly one of the guests, having visited M. Cabarrus but once before on those days. Mr. Carmichael was present. Some earnest and private conversation passed between M. del Campo and M. Cabarrus. In the afternoon Mr. Carmichael by my desire pressed M. Cabarrus to write to the minister, that on the morrow our bills must be either paid or protested. Mr. Cabarrus replied that he had already given that information to M. del Campo, and that he would not risk that

gentleman's displeasure by repeating it to the minister, for it would look as if he doubted M. del Campo's attention to it. Mr. Carmichael informed me at the same time that M. Cabarrus' manner appeared changed and somewhat embarrassed.

On the morning of the 15th of March I waited on the ambassador. He promised to speak to the minister that morning, to obtain his final answer, and if possible to render it favorable. On his return from the Pardo he wrote me the following letter:

[Translation.]

MARCH 15, 1782.

SIR: I have just come from the Pardo. The Count de Florida Blanca had not received your letter of yesterday, but I supplied the deficiency by explaining to him your critical and difficult situation. He told me that you might accept the drafts to the amount of fifty thousand dollars, provided M. Cabarrus remains in the same disposition he has displayed hitherto, relative to the time he would wait for the reimbursement of the sums he has advanced for this purpose. You can, therefore, make an arrangement with M. Cabarrus for the acceptance of the bills to the amount of forty or fifty thousand dollars, and show him this note as his security.

I hope that this sum will relieve you from your present embarrassment and give you time to adopt measures for meeting the bills which shall hereafter become due.

Although this information is not so fully satisfactory as I could wish, I take pleasure in communicating it to you, with assurances of my sincere and inviolable attachment.

THE COUNT DE MONTMORIN.

You will doubtless think with me it was very extraordinary that the minister should not have received my letter sent him yesterday by the court courier. Why and by whose means it was kept back can only be conjectured. Had not the ambassador's application supplied the want of it, a pretext for the minister's silence would thence have arisen. The letter did not in fact miscarry, for the minister afterwards received it. The minister's caution in making his becoming engaged for the advances in question to depend on M. Cabarrus' persisting in the same dispositions he has lately declared relative to the time he would be content to wait for a reimbursement is somewhat singular, considering that his offers on that head had been repeatedly and explicitly communicated to the minister and to the ambassador of France, both by him and by me. Immediately on receiving the ambassador's letter I gave it to Mr. Carmichael with instructions to show it to M. Cabarrus and bring me back his answer without delay, for I was then expecting the notary and others with bills.

Mr. Carmichael returned and informed me that he had communicated the letter to M. Cabarrus, and that instead of abiding by his former offer, to be content with the minister's engaging to see him repaid in ten or twelve months, he insisted on being repaid in four months, in four equal monthly payments, and those payments secured by orders on the rents of the general post-office, and that M. Cabarrus promised either to write or speak to the minister about it.

A new application to the minister became necessary, and consequently further time and indulgence from the holders of the bills was to be solicited.

I told the notary that I was in treaty with M. Cabarrus for the supplies I wanted and that one or two articles remained to be adjusted, which could not be done till the next day.

I therefore requested him to suspend the protest for twenty-four hours more, and to apply to the holders of the bills for permission, adding that near twenty of them belonged to M. Cabarrus, and that from the friendly conduct of several of the others I had reason to flatter myself that they would readily consent. He seemed surprised at what I said respecting my expectations from M. Cabarrus, and with a degree of indignation told me that M. Cabarrus was more pressing than any of the others, and had already sent him two messages to conclude the matter with me without delay; that he had received one of the messages the day before and the other that morning. He nevertheless cheerfully undertook to obtain permission from the holders of the bills to wait till the next afternoon and succeeded in it.

The next morning, viz., the 16th of March, I waited upon the ambassador. I mentioned to him these several facts, and told him that my hopes from M. Cabarrus were at an end, for that, exclusive of other circumstances, it was not probable that, considering his lucrative connexions with government, he would risk treating the promise of the minister, made in consequence of his own offer, with so little respect as to demand such formal and unusual securities for the performance of it, unless there had been some previous concert or indirect management in the case. The ambassador declined assenting to this opinion. He promised to see the minister, with whom he was that day to dine, and to send me his positive and final answer by four o'clock in the afternoon.

Having prepared the draft of the protest I thought it would not be amiss to show it to the ambassador. He returned it to me without making any other remark than that it was rather pointed.

From the ambassador's I went to M. Cabarrus'; he had not been at the Pardo, and was then at a meeting of merchants to whose consideration his plan of a bank had been referred.

The ambassador went to the Pardo and mentioned the matter to the minister, who replied briefly: "That affair is already arranged with M. Cabarrus," but the Chevalier de Bourgoing, having been desired to bring back a decided answer, applied to M. del Campo on the subject, who told him "that they could not possibly comply with M. Cabarrus' terms; that he had written so that morning to M. Cabarrus by a private courier, and that in the evening the minister would repeat it to him officially." On the Chevalier's mentioning this to the ambassador he was clearly of opinion that I had not any resource left, and, therefore, that the bills must be protested, and that the chevalier

should tell me so. I showed the protest, as translated into Spanish by M. Gardoqui, to the Chevalier. The original in English is as follows:

Mr. Jay says that when he accepted the bills hereunto annexed he had good reason to expect to be supplied with the funds necessary to pay them. That he has been disappointed in the expectations he was encouraged to entertain on this subject, and that his endeavors to obtain moneys for the purpose both here and elsewhere have been unsuccessful, although the bills which remain to be paid by him, together with all his other engagements, do not exceed twenty-five thousand pounds sterling. That, these disappointments being unexpected, he can not, for want of time, have recourse to Congress, and therefore finds himself reduced to the mortifying necessity of permitting them to be protested.

The Chevalier approved of the protest, but the notary on reading it observed that the sum was really so trifling that he thought it would do better to strike it out. The Chevalier was struck with this remark, and advised me with some earnestness to make no mention of the sum, for, said he, "It will appear very extraordinary that you should be obliged to protest the bills of Congress for the want of such a sum, and people will naturally turn their eyes towards France, and ask how it happened that your good allies did not assist you; it will look as if we had deserted you."

I replied that, since the bills must be protested, I was content that my true situation should be known. I admitted his inferences to be just and naturally flowing from the facts, adding, that as France knew my situation and had withheld relief, she had so far deserted us; but that I was, nevertheless, mindful of the many proofs we had received of her friendship, and should not cease to be grateful for the ninety-nine acts of friendship she had done us merely because she had refused to do the hundredth.

In short, I directed the notary to recite this protest *verbatim*.

This protest was drawn at my leisure, and with much consideration. It operated as I expected, and I am persuaded you will see the reason of each sentence in it without the aid of my comments. I will only remark, that I was at first induced to insert and afterwards to refuse striking out the sum, lest from leaving it uncertain the public might have had room to conjecture, or individuals to insinuate, that I had imprudently run into such rash and expensive engagements as to render it improper for Spain or France to afford me the necessary supplies.

Nor did it appear to me that both of them should have reason to be ashamed of permitting our credit to be impeached and injured for such an unimportant sum. Both courts were blamed, and we not only acquitted, but pitied by the public.

I ought to inform you that the sum which I really wanted did not amount to twenty-five thousand pounds, but as some straggling bills frequently made their appearance, and it could not be foreseen how much those which might still be behind would amount to, I thought it advisable to make a considerable allowance on that score; for in case I should have asked for less than might afterwards have proved indis-



pensable I should, doubtless, have been put to great difficulties in obtaining a supply for the deficiency.

In justice to the bankers who held the protested bills I must say that they in general appeared disposed to show me every reasonable indulgence. The house of Joyes and Sons, though considered as anti-American, were particularly civil. They offered to take such of the bills as had been remitted to them on themselves, provided I would pass my word for the payment of them within a few weeks; but as I had no assurance of funds, I could not risk it. Besides, unless all the bills due could have been suspended on the like terms it could have answered no purpose, because the difference of protesting a few bills more or less was unimportant. The conduct of Don Ignacias Salaia, the notary, was so particularly and singularly generous, that I can not forbear mentioning it. Though without expectations, and uninfluenced by promises from me, he behaved as if the case had been his own, and proved the sincerity of his professions by doing everything in his power to serve me. On perceiving how much he was engaged in my favor, I did not choose to lessen the appearance of its being disinterested by promises of reward. But after the bills were protested, and he could be of no further use, I sent him a gold piece of sixteen dollars, as an acknowledgment for the trouble I had given him. He returned it with an assurance that he wished to serve me from other motives, and the next day waited upon me to thank me for that mark of attention, and again to assure me that his best services were always at my command.

When the bills were protested, and M. Cabarrus' conduct mentioned in his presence, the poor fellow literally shed tears. I was much affected by the warmth and generosity of this man's heart, and should not have readily pardoned myself had I neglected to bear this testimony to the goodness of it.

During the whole time that this matter was in agitation, that is, from the 11th to the 16th of March and for some time afterwards, M. Cabarrus did not come near me.

On the 18th I wrote a letter to Dr. Franklin, informing him of the protest, and reciting the reasons assigned for it. I also hinted the propriety of taking up the bills at Paris, if possible.

The national pride of the ambassador of France was hurt by this event. I am sure he regretted it as disreputable and impolitic. I remarked to him that most of our cross accidents had proved useful to us, and that this might save us the Mississippi. For I thought it more prudent to appear a little incensed than dispirited on the occasion. I suspect that there has been an interesting conversation between the two courts about us. He told me this winter that he believed Spain wished to modify our independence, and to keep herself in a situation to mediate between us and England at the general peace. He did not explain himself further. As great successes on our part must operate against such designs, the Spanish minister can neither rejoice in nor be dis-



posed to promote them; and this may help both to account for the little impression made by the capitulation of York and for their conduct as to our bills and propositions, &c. I am sure that they fear us, too, and the more, perhaps, as they have misbehaved towards us.

Not many days elapsed before a special courier from Paris brought advices to this court that the British Parliament had resolved to advise the king to cease all offensive operations against us, &c. This, and the subsequents debates and resolutions of Parliament relative to the American war, made a deeper impression here in our favor than any event which has happened since my arrival. New ideas seemed to pervade the whole court and people, and much consultation, as well as surprise, was occasioned by it.

On the 26th of March I received the following letter from Dr. Franklin from the hands of M. Cabarrus, to whom I behaved on that occasion with reserved and cold politeness:

PASSY, *March 16, 1782.*

DEAR SIR: I have received your several favors of January 30th, February 11th, and March 1st, and propose to write fully to you by the next post. In the mean time, this line may serve to acquaint you that I paid duly all your former bills drawn in favor of M. Cabarrus, and that, having obtained a promise of six millions for this year, to be paid me quarterly, I now see that I shall be able to pay your drafts for discharging the sums you may be obliged to borrow for paying those upon you, in which, however, I wish you to give me as much time as you can, dividing them so that they may not come upon me at once. Interest should be allowed your friends who advance for you. Please to send me a complete list of all the bills you have accepted, their numbers and dates, marking which are paid and what are still to pay.

I congratulate you upon the change of sentiments in the British nation. It has been intimated to me from thence that they are willing to make a separate peace with us exclusive of France, Spain, and Holland, which, so far as relates to France, is impossible; and I believe they will be content that we leave them the other two; but Holland is stepping towards us, and I am not without hopes of a second loan there. And since Spain does not think our friendship worth cultivating, I wish you would inform me of the whole sum we owe her, that we may think of some means of paying it off speedily.

With sincerest regards, I am, &c., &c.,

B. FRANKLIN.

P. S.—The Marquis de la Fayette has your letter.

I answered this letter as follows, by a French courier:

MADRID, *March 19, 1782.*

DEAR SIR: On the 18th instant I informed you of my having been reduced by M. Cabarrus' want of good faith, to the mortifying necessity of protesting a number of bills which were then payable.

Your favor of the 16th instant reached me three days ago. It made me very happy, and enabled me to retrieve the credit we had lost here by those protests. I consider your letter as giving me sufficient authority to take the necessary arrangements with the Marquis d'Aranda for paying the residue of my debts here, as well as such of the protested bills as may be returned for that purpose.

The account you request of all the bills I have accepted is making out, and when finished shall be transmitted by the first good opportunity that may offer. You may

rely on my best endeavors to render my drafts as little inconvenient to you as possible.

The British Parliament, it seems, begin to entertain less erroneous ideas of us; and their resolutions afford a useful hint to the other powers of Europe. If the Dutch are wise, they will profit by it. As to this court, their system (if their conduct deserves that appellation) with respect to us has been so opposite to the obvious dictates of sound policy, that it is hard to divine whether anything but experience can undeceive them. For my part, I really think that a treaty with them daily becomes less important to us.

That Britain should be desirous of a separate peace with us is very natural; but as such a proposal implies an impeachment of our integrity, I think it ought to be rejected in such a manner as to show that we are not ignorant of the respect due to our feelings on that head. As long as France continues faithful to us, I am clear that we ought to continue hand in hand to prosecute the war until all their, as well as all our, reasonable objects can be obtained by a peace; for I would rather see America ruined than dishonored. As to Spain and Holland, we have as yet no engagements with them, and therefore are not obliged to consult either their interest or their inclinations further than may be convenient to ourselves, or than the respect due to our good allies may render proper.

France, in granting you six millions, has acted with dignity as well as generosity. Such gifts, so given, command both gratitude and esteem; and I think our country possesses sufficient magnanimity to receive and remember such marks of friendship with a proper degree of sensibility. I am pleased with your idea of paying whatever we owe to Spain. Their pride, perhaps, might forbid them to receive the money. But our pride has been so hurt by the littleness of their conduct, that I would in that case be for leaving it at the gate of the palace, and quit the country. At present such a step would not be expedient, though the time will come when prudence, instead of restraining, will urge us to hold no other language or conduct to this court than that of a just, a free, and a brave people, who have nothing to fear from, nor to request of them.

I am, &c.,

JOHN JAY.

On receiving Dr. Franklin's letter I sent for my good friend, the notary, and desired him to make it known among the bankers that I had received supplies equal to all my occasions, and was ready to pay to every one his due. He received the commission with as much pleasure as I had the letter. He executed it immediately, and our credit here was reëstablished.

M. Cabarrus became displeased with himself, and took pains to bring about a reconciliation by the means of third persons, to whom I answered that as a Christian I forgave him, but as a prudent man could not again employ him. As this gentleman has suddenly risen into wealth and importance, and is still advancing to greater degrees of both, I shall insert a letter which I wrote in reply to one from him on the subject.

TO M. CABARRUS.

MADRID, April 2, 1782.

SIR: I have received the letter you did me the honor to write on the 29th of March, last.

As soon as the examination of your accounts shall be completed, I shall be ready to pay the balance that may be due to you, either here or by bills on Paris.

I should also be no less ready to subscribe a general approbation of your conduct, *if the latter part of it had been equally fair and friendly with the first.*

Although it always affords me pleasure to recollect and acknowledge acts of friendship, yet, sir, I can consider only one of the five instances you enumerate, as entitled to that appellation. I shall review them in their order. You remind me,

1st. *That you risked the making me considerable advances, at a time when I could only give you hopes, and not formal assurances of repayment.*

I acknowledge freely and with gratitude that (exclusive of the commissions due to you for paying out the various sums I had placed in your hands) you did advance me between twenty and thirty thousand dollars; but as the United States of America were bound to repay it, and I had reason to expect supplies to a far greater amount, I conceived, and the event has shown, that you did not run any great risk, although the uncertainty of the time when these supplies would be afforded, prevented my giving you positive and formal assurances of the time and manner of repayment.

2dly. *That you augmented these advances to quiet the demands of the Marquis d'Aranda.*

Permit me to remind you that this circumstance might have been more accurately stated. The fact was as follows. I had received about fifty thousand dollars, which, by a prior contract, I had agreed to pay the Marquis on account of a greater sum borrowed from him in paper. The sum in question was in specie. You and others offered to exchange it for paper at the then current difference. The preference was given to you. Under that confidence, and for that express purpose, the specie was sent to your house, and you did exchange it accordingly. With what propriety, sir, can you consider this transaction in the light of making advances or lending me money to quiet the Marquis d'Aranda? It is true that by sending the money to your house I put it in your power, by detaining part of it, to repay yourself what you had before advanced. But, sir, such a proceeding would have been a flagrant breach of trust; and I can not think any gentleman ought to give himself or expect to receive credit for merely forbearing to do a dishonorable action.

3dly. *That you gave me, on my signature, the money for which I applied to you for my personal use without detaining any part of it on account of the balance then due to you.*

The transaction you allude to was as follows: I had authority to draw from his excellency Dr. Franklin on account of my salary. It happened to be convenient for me to draw for a quarter. You agreed to purchase my bill on him, and to pay me in specie at the current exchange. As it was post day, I signed and sent you the bill before I had received the money. These are the facts, and it seems two favors are to be argued from them. First, that you did not scruple my signature, or in other words, that you took my bill. To this I answer, that you had no reason to doubt its being honored. All my former ones had been duly paid. Nor could you or others produce a single instance in which my signature had not justified the confidence reposed in it. Secondly, that by sending you the bill before you had sent me the money for it, I gave you an opportunity of keeping the money, and giving my public account credit for it; and that in not taking this advantage you did me a favor.

After having agreed to purchase this bill, and pay me the money for it, you could have no right to detain it. And surely, sir, you need not be informed that there is a wide distinction between acts of common justice and acts of friendship. I remember that there was then but little demand for bills on Paris, and so far as you may have been induced to take this one from regard to my convenience, I am obliged to you.

4thly. *That by your agency you accelerated the payment of the twenty-six thousand dollars.*

I really believe, sir, that you did accelerate it, and you would have received my thanks for it if the unusual and very particular manner in which the order for that payment was expressed, had not been less consistent with delicacy than with those improper fears and apprehensions, which the confidence due to my private as well as public character ought to have excluded from your imagination. All the preceding orders, which had been given on similar occasions, directed the money to be paid to me. But in this instance, as I owed you a considerable balance, care was taken that the twenty-six thousand dollars should not, as formerly, be paid to me, but to you on my account.

5thly. *That you offered to make me further advances, if either the ambassador of France or the minister of state would give you a positive order for the purpose, which you say they constantly refused.*

It is true, sir, that you offered to supply me with money to pay my acceptances for the month of March, provided the minister of state or the ambassador of France would engage to see you repaid, with interest, within a certain number of months, sometimes saying that you would be content to be repaid within seven months, and at others within ten or twelve months, and you repeated this offer to me in these precise terms on the 11th of March last.

This offer was friendly. I accepted it with gratitude, and in full confidence that you would punctually perform what you had thus freely promised. I accordingly made this offer known to the minister and solicited his consent. On the 15th day of March he authorized the ambassador of France to inform me that you might advance me from forty to fifty thousand current dollars on those terms. The ambassador signified this to me by letter, and that letter was immediately laid before you. Then, sir, for the first time, did you insist on being repaid in four months, and that in four equal monthly payments, secured by orders on the rents of the post-office, or on the general treasury, &c., &c. These terms and conditions were all new, and never hinted to me in the most distant manner until after the minister had agreed to your first offer, and until the very moment when the holders of the bills were demanding their money and insisting that the bills should either be paid or protested.

The minister rejected these new conditions and you refused to abide by the former ones. The bills were then due. I had no time even to look out for other resources, and thereby was reduced to the necessity of protesting them.

Such conduct, sir, can have no pretensions to gratitude, and affords a much more proper subject for apology than for approbation. I confess that I was no less surprised than disappointed, and still remain incapable of reconciling these deviations from the rules of fair dealing, with that open and manly temper which you appear to possess, and which I thought would insure good faith to all who relied on your word.

How far your means might have failed, how far you might have been ill advised, or ill informed, or unduly influenced, are questions which, though not uninteresting to you, are now of little importance to me.

I acknowledge with pleasure that, until these late singular transactions, I had reason to believe you were well attached to the interests of my country, and I present you my thanks for having on several former occasions endeavored to promote it.

I am, &c.,

JOHN JAY.

As M. Cabarrus was concerned in contracts with government for money, and was the projector of several of their ways and means for supplying the royal treasury, it appeared to me expedient that he should wish us well, and be our banker. Some advantages have arisen from it, and they would probably have been greater, if not opposed by the great and unfriendly influence of M. del Campo. At the same time that I blame M. Cabarrus, I can not but pity him, for there is much reason to consider him in the light of the *scapegoat*.

I have now employed Messrs. Drouilhet to do our business; that house is one of the most considerable here in the banking way.

I showed Dr. Franklin's letter to the ambassador of France, and made him my acknowledgments for the generous supply afforded by his court to ours. He seemed very happy on the occasion, and regretted it had not been done a little sooner.

His secretary remarked to me, that Spain would suspect that this

subsidy had been granted in consequence of the protest of our bills, and that this court would make it the cause of complaint against France.

The court left the Pardo, and passed the Easter holidays at Madrid. I denied myself the honor of waiting on the minister on that occasion, nor have I seen him since the protest of our bills. My judgment as well as my feelings approved of this omission. The court are now at Aranjues, where I have taken a house, and purpose to go soon after these despatches shall be completed.

On the 30th of March I was surprised by the following note, being the first of the kind which I have received from the minister since my arrival:

[ Translation. ]

The Count de Florida Blanca has been to take the orders of V. S.\* for Aranjues, where he hopes to have the honor of the company of V. S. at his table every Saturday after the 11th of May next ensuing.

This invitation is imputable to the late news from England, and the grant of six millions by France was probably accelerated by it. Both courts are watching and jealous of us. We are at peace with Spain, and she neither will, nor indeed can, grant us a present subsidy. Why, then, should we be anxious for a treaty with her, or make sacrifices to purchase it? We cannot now treat with her on terms of equality; why, therefore, not postpone it? It would not, perhaps, be wise to break with her; but delay is in our power, and resentment ought to have no influence.

Time would secure advantages to us which we should now be obliged to yield. Time is more friendly to young than to old nations, and the day will come when our strength will ensure our rights. Justice may hold the balance and decide, but if unarmed will for the most part be treated like a blind woman. There is no doubt that Spain requires more cessions than England, unless extremely humbled, can consent to. France knows and fears this. France is ready for a peace, but not Spain. The king's eyes are fixed on Gibraltar. The Spanish finances, indeed, are extremely mismanaged, and I may say pillaged. If England should offer us peace on the terms of our treaty with France, the French court would be very much embarrassed by their alliance with Spain, and as yet we are under no obligations to persist in the war to gratify this court. It is not certain what England will do, nor ought we to rely on the present promising appearances there; but can it be wise to instruct your commissioners to speak only as the French ministers shall give them utterance? Let whatever I write about the French and their ambassador here be by all means kept secret. Marbois gleans and details every scrap of news. His letters are very minute, and detail names and characters.

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\* *Vuestra senoria.*—*your lordship* or *your excellency*. We have no title which exactly corresponds with the Spanish.



Sweden is leaning towards us, and it will not be long before the Dutch become our allies. Under such circumstances Spain ought not to expect such a price as the Mississippi for acknowledging our independence.

As it is uncertain when I shall again have so good an opportunity of conveying a letter to you as the present, I have been very particular in this. The facts might, perhaps, have been more methodically arranged, but I thought it best to state them as they arose, and though some of them, separately considered, do not appear very important, yet when viewed in connexion with others they will not be found wholly uninteresting.

You will readily perceive, on reading this letter, that parts of it relate to Mr. Morris' department. I hope he will excuse my not repeating them in a particular letter to him, especially as he will readily believe that the length of this and the ciphers used in it have fatigued me a good deal.

All the ciphers in this letter are those in which I correspond with Mr. Morris, and the only ones I have received from him. They were brought by Major Frauks, and marked No. 1. Several of my former letters to Mr. Thomson and you mentioned that his cipher was not to be depended upon. The copy of it brought by Mr. Barclay, which is the only copy I have received of the original by Major Frauks, having passed through the post-office, came to my hands with marks of inspection on the cover.

I received the 12th of April a packet of newspapers which I believe was from your office. It was brought to Bilboa by Mr. Stockholm, but not a single line or letter from America accompanied it.

On the back of the packet there was this endorsement: "Bilboa, April 3, 1782, brought and forwarded by your excellency's very humble servant, Andrew Stockholm." Notwithstanding this, it was marked *Paris* by the post-office, and charged with postage accordingly, viz., one hundred and six reals of vellon. I sent the cover to the director of the post-office, but he declined correcting the mistake. Thus are all things managed here.

The *Courier de l'Europe* informs us that the English ministry are totally changed, and gives us a list of those who form the new one. I think it difficult to predict how this change may eventually operate with respect to us. I hope we shall persevere vigorously in our military operations, and thereby not only quiet the fears and suspicions of those who apprehend some secret understanding between us and this ministry, but also regain the possession of those places which might otherwise counterbalance other demands at a peace.

Great preparations are making here for a serious attack on Gibraltar. The Duc de Crillon will doubtless command it. His good fortune has been very great.

It is natural as well as just that Congress should be dissatisfied with



the conduct of this court; they certainly have much reason; and yet a distinction may be made between the ministry and the nation, the latter being more to be pitied than blamed.

I must now resume a subject which I did not expect to have had occasion to renew in this letter.

You may observe from the copy of the Count de Florida Blanca's note containing an invitation to his table at Aranjues and left at my house by his servant that it was not expressly directed to me. This omission raised some doubt in my mind of its being intended for me, but on inquiry I found that the other ministers had in the same manner received similar ones and not directed to them by name. I mentioned my having received it to the ambassador of France. He told me the Count had not mentioned a syllable of it to him. I desired him to take an opportunity of discovering from the Count whether or no there was any mistake in the case and to inform me of the result, which he promised to do.

On the 23d of April instant, the ambassador being then in town, I paid him a visit. He told me that on mentioning the matter to the Count he said it must have happened by mistake, for that he intended only to ask my orders for Aranjues, but that he was, nevertheless, glad the mistake had happened, as it would give him an opportunity, by mentioning it to the king, to obtain his permission for the purpose, and to that end desired the ambassador to write him a note stating the fact. The ambassador did so, and the Count afterwards informed him that he had communicated it to the king, who, with many expressions of regard for our country, had permitted him to invite me as a private gentleman of distinction belonging to it. He authorised the ambassador to communicate this invitation to me, and also to inform me that I might bring Mr. Carmichael with me.

Much conversation ensued between the ambassador and myself, consisting of my objections to accepting this invitation and his answers to them. But, as we continued to differ in sentiment and he was going out, I agreed to think further of the matter before I gave my final answer.

For my part, I doubt there having been any mistake. I think it more probable that the minister, afterwards reflecting on the use that might be made of this note, wished to render it harmless by imputing it to mistake and substituting a more cautious invitation; for it can hardly be supposed either that his servant would, for the first time in two years, leave such a note at my house unless ordered, or that he himself would, for the first time in his life, and that in writing, inform me of his having called to take my orders for Aranjues, without taking care that his amanuensis wrote as he dictated. He was probably warmed by the news from England and Holland, and, in the perturbation of spirits occasioned by it, was more civil than on cool reflection he thought was expedient, especially on further considering that the ambassador might not be well pleased at not having been privy to it.

A few days afterwards I wrote the ambassador the following letter on the subject :

MADRID, April 27, 1782.

SIR: Be pleased to accept my thanks for the very friendly part you have acted relative to the minister's written invitation left at my house, and the verbal one since conveyed from him to me by your excellency. I have deliberately re-examined my former sentiments respecting the propriety of accepting it, and, as they remain unaltered, my respect for your judgment leads me to refer them fully explained to your further consideration.

As the minister informed your excellency that the written invitation was left at my house by *mistake*, I think nothing remains to be said relative to it. On the discovery of that mistake, the minister it seems was so obliging as to apply for and obtain the consent of the king to renew the invitation, not in *general terms*, but in terms expressly declaring that it was given to me as a private gentleman and was so to be accepted, with the additional favor, nevertheless, of being permitted to bring Mr. Carmichael with me.

The only objection which opposes my accepting it arises from this question, viz: whether a minister or representative of an independent sovereign can with propriety accept any invitation which in the terms of it impeaches his title to that character? So far as this question respects the ministers of independent states and kingdoms in general, your excellency will agree with me in opinion that it must be answered in the negative. The next inquiry which presents itself is whether the United States of America come so far under that description as to render this reasoning applicable to their ministers. Every American thinks they do. Whatever doubts this or other courts may entertain relative to their independence, the United States entertain none, and therefore their servants ought not, by words or actions, to admit any. For instance, ought General Washington to accept an invitation which expressly imposed upon him the condition of laying aside his uniform and appearing at table in the dress of a private gentleman? I think not. If this reasoning be just, the impropriety of my accepting this invitation becomes manifest, and all arguments from the expediency of it must cease to operate. For my part I consider it as a general rule that, although particular circumstances may sometimes render it expedient for a nation to make great sacrifices to the attainment of national objects, yet it can in no case be expedient for them to impair their honor, their dignity, or their independence.

As to the temporary advantages which might result from accepting this invitation, I find them balanced by at least equal disadvantages. There can be no doubt on the one hand but that my frequenting the Count de Florida Blanca's table on the days appointed for entertaining foreign ministers would impress a general opinion that Spain was about to become our allies, and I readily admit that such an opinion might operate to our advantage in other countries. But, on the other hand, when the Count de Florida Blanca, in order (though perhaps in vain) to save appearances, shall inform those foreign ministers that I was expressly invited as a private gentleman and had consented to come in that character, they would naturally entertain ideas which would tend to diminish rather than increase their respect for America and American legations.

It would give me pain if the Count de Florida Blanca should suppose me to be in the least influenced by the promising aspect of our affairs. I flatter myself he will not incline to that opinion, when he reflects on the particular circumstances under which the United States declared themselves independent, and under which they afterwards refused to treat with their then victorious enemies on any terms inconsistent with it.

Although offence and disrespect are very far from my thoughts, I fear the count will be a little hurt at my declining the invitation in question. I am persuaded that he meant to do me a favor, and I feel myself indebted for his friendly intentions. But

as the considerations mentioned in this letter forbid me to accept it, I wish to communicate that circumstance to him in the most soft and delicate manner, and therefore request the favor of your excellency to undertake it.

I have the honor to be, &c.,

JOHN JAY.

Reasons similar to those assigned for this refusal have induced me ever since my arrival to decline going to court, where I might also have been presented as a stranger of distinction, but as Mr. Carmichael had been presented in that character previous to my coming to Madrid I never objected to his making subsequent visits.

I am, dear sir, with great regard and esteem, your most obedient and very humble servant,

JOHN JAY.

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Livingston to Jay.\*

PHILADELPHIA, *April 28, 1782.*

DEAR SIR: You will receive with this a letter dated yesterday. You will judge how far it may be expedient to ground demands on the right we have to a compensation for our share of the burthen and expense of the war, if the issue should be as favorable as we have reason to expect. Our strength is so much underrated in Europe, that you will find it proper to represent it as it really is. Our regular army, including the French troops, will consist of about —— men. They are well disciplined, clothed, and fed, and, having for the most part seen seven years' hard service, I believe they may be counted equal to any troops in the world. Our militia are in excellent order and chiefly disciplined by officers who have left the regular service. While the army lies in the middle States, it can in ten or fifteen days receive a reinforcement of —— men for any particular service. Facts that you can easily call to mind will evince that any deficiency in the regular troops is amply made up by this supply. These are loose hints by no means directory to you. Congress mean as little as possible to clog you with instructions. They rely upon your judgment and address to reconcile whatever differences may appear to be between the views of Spain and the interests of these States.

I have the honor to enclose an important resolution, which I fear to put in cipher, both because you seem to be at a loss about your cipher and because it would be of little use considering the accident which you say has happened to it.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 384.

Washington to Luzerne.\*

NEWBURGH, *April 28, 1782.*

SIR: I receive with much gratitude the remembrance and compliments of the principal officers of the French army in Virginia, and thank your excellency for the trouble of being the bearer of them to me and the letter from Count de Rochambeau.

With equal sensibility and pleasure I received and do now acknowledge my obligations to your excellency for the communications from your court, which, though not decisive, are nevertheless important. The late instance of their generous aid, hinted at by your excellency and particularized by Mr. Morris, is one among a variety of important considerations which ought to bind America to France in bonds of indelible friendship and gratitude, never, I hope, to be sundered. Induced by that entire confidence which I repose in your excellency, and a full conviction that a nation who combines her force with ours for purposes of all others most interesting to humanity, ought not to be deficient in any information I can give to point objects to means, that an accordance with them may be inseparable, I shall, without hesitation, give you the state of our present force and my ideas of the increase of it by recruits from the best views of it which is before me.

It can scarcely be necessary to inform your excellency that our military establishment for the present year consists of one regiment of artillery, four legionary and two partisan corps, and fifty regiments of infantry, besides the corps of invalids; or that Congress have called in pointed terms upon each State to complete its regiments to the establishment, the aggregate of which, if complied with, would amount to thirty-four thousand three hundred and eight men, exclusive of commissioned officers, sergeants, and music, Hazen's regiment, and the corps of invalids. Of this force, one legionary corps, two regiments of artillery, and twenty-two of infantry, besides Hazen's regiment and the invalids, compose the northern army, but as Hazen's regiment is fostered by no State, discouraged from recruiting by all, and without funds if the case were otherwise, it must soon dwindle to nothing, being now very weak.

The present totality of the rank and file, exclusive of sergeants, of those regiments which compose the northern army, amounts to nine thousand one hundred and forty-six. From this number the sick men in different branches of the staff department, and such as are employed on other extra duties which the peculiarity of our circumstances compels me to furnish from the army, being deducted, will reduce the efficient operating force of these corps to seven thousand five hundred and fifty-three rank and file, and I should be uncandid if I were not to acknowledge that I do not expect it will be increased by recruits in the course of the campaign to more than ten thousand fit for duty in the

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 57.

field. This, sir, in my opinion, will be the full amount of the established regiments of the States east of Pennsylvania. To ascertain the number of militia who may be assembled for occasional offensive operations is more than I can do. The general opinion is that there will be no want of militia for any enterprise we can have in view. Be this as it may, this one thing is certain, that this class of men are not only slow in their movements, but undertaking to judge also of the propriety of them in point of amount, will wait till the necessity for it strikes them, which in most cases is as injurious to the service as inability or want of inclination—disappointment being the consequence of delay. This observation I could not refrain from making, because in all combined operations, especially those which may depend upon the season or a limited period for their execution, it is of the utmost importance to be known.

The enclosed return, which is a copy of the last state of the force under the order of Major-General Greene which has come to my hands, will give your excellency every information in my power respecting the state and condition of that army, which was to be augmented by the partisan corps of Colonel Armand, consisting of about two hundred horse and foot. Independent of those, there are two small regiments at Fort Pitt, one from the State of Pennsylvania, the other from Virginia, which are included in the general establishment of the army, but no particular return is here given of them.

What measures are adopted by the States of Georgia and North and South Carolina to recruit their battalions I know not. Virginia marched about four hundred men the latter end of February for the southern army; and by an act of the legislature, passed at their last session, resolved to raise more; but in what forwardness they are, or what is to be expected from the act, I am equally uninformed. Maryland and Pennsylvania depend upon voluntary enlistments, and are proceeding very slowly in the business of recruiting.

This, sir, is an accurate state of the force we have at present and my expectation of what it may be, independent of militia.

The enemy's force, from the best information I have been able to obtain of it, may stand thus at New York:

	Rank and file.
Regulars, including their established corps of provincials.....	9,000
Militia of the city refugees and independent companies .....	4,000
Sailors and marines, according to the number of ships which may be in the harbor; this being uncertain, no number is given.	
Now in New York.....	13,000
Charleston, about.....	3,300
Savannah, about.....	700
In Canada, including British, German, and established provincials .....	5,000
Penobscot, about.....	500
Halifax and its dependencies uncertain, but say.....	3,500
<hr/>	
In all .....	26,000

The above estimate, so far as it respects New York, Charleston, and Savannah, is, I believe, to be depended upon. The force of Canada by some accounts is more, by others less, than five thousand. The regular British and German troops in that country can not exceed four thousand; but in addition to these are the corps of Sir John Johnson and others, which I am told have been considerably increased by the disaffected of this and other States who have fled to Canada. But it is to be observed that this force, be it what it may, is employed in the occupation of posts from Quebec to Michilimackinac and on Lake Champlain through an extent of not less than seven or eight hundred miles, and that all these posts are dependent upon the former for provisions and supplies of every kind. I am less certain of the enemy's force in Nova Scotia than elsewhere. The number here given is not from recent intelligence, or strengthened according to circumstances. Cumberland, Windsor, Annapolis, St. John's River, &c., are posts dependent upon Halifax, and included in the three thousand and five hundred men here mentioned. If this state of matters can be satisfactory to your excellency, or useful in the formation of any plans against the common enemy, I shall be happy in having given it.

Permit me now, sir, to express the high sense I have of the honor you have done me in communicating the favorable opinion entertained of my conduct by the court and nation of France, and to acknowledge my obligations to those officers who have inspired these sentiments. To stand well in the eyes of a nation, which I view as one of the first in the world, and in the opinion of a monarch whom I consider as the supporter of the rights of humanity, and to whom I am personally indebted for the command he has been pleased to honor me with, is highly flattering to my vanity; at the same time it has a first claim to all my gratitude.

It is unnecessary, I hope, to add fresh assurances of the respect and esteem with which I have the honor to be, sir, &c.,

GEORGE WASHINGTON.

**Secret Journals of Congress—Spanish Negotiation.\***

APRIL 30, 1782.

On motion of Mr. Madison, seconded by Mr. Jones,

*Resolved*, That the minister plenipotentiary of the United States at the court of Madrid be informed that Congress entirely approve of his conduct as detailed in his letter of the 3d of October last; that the limitation affixed by him to the proposed surrender of the navigation of the Mississippi in particular corresponds with the views of Congress; that they observe, not without surprise and concern, that a proposition so liberal in itself, and which removed the only avowed obstacle to a

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\* MSS. Dep. of State.



connection between the United States and his Catholic majesty, should not have produced greater effects on the counsels of the latter; that the surrender of the navigation of the Mississippi was meant as the price of the advantages promised by an early and intimate alliance with the Spanish monarchy; and that if this alliance is to be procrastinated till the conclusion of the war the reason of the sacrifice will no longer exist; that as every day which the proposed treaty is delayed detracts from the obligation and inducement of the United States to adhere to their overture, it is the instruction of Congress that he urge to the ministers of his Catholic majesty the obligation it imposes on Spain to make the treaty the more liberal on her part, and that in particular he use his endeavors to obtain in consideration of such delay either an enlargement of her pecuniary aids to the United States, a facilitating of the use of the Mississippi to the citizens thereof, or some peculiar indulgences in the commerce of the Spanish colonies in America.

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Morris to the Governor of Maryland.\*

OFFICE OF FINANCE, *April 30, 1782.*

SIR: I had the honor to receive your excellency's letter, dated in council, Annapolis, April, 1782, previous to which I had, in mine of the 15th instant, transmitted the acts of Congress which you mention. I hope they will meet the wishes of your excellency and of the State, so that a speedy compliance with them may forward the great business they are formed to accomplish.

I am much obliged by your excellency's observation as to the propriety of stating how much money is to be expended. The estimates of the current year were formed by Congress; the accuracy of them I can not answer for, but rather incline to think they will fall short of the object proposed. The loose manner in which business has formerly been conducted did indeed render it impracticable to frame very precise estimates. That those adopted are not exorbitant will easily be seen by comparing the sum total with the expenditure of former years. It is my intention to show by the exhibition of clear accounts how the public money intrusted to me has been expended. This shall be done publicly, and then estimates formed agreeably to such accounts will be clearly understood, and convey that satisfaction to the mind of every candid man which I am desirous of imparting.

Your excellency will easily perceive that the primary step must be to grant money, and the accounting for it a secondary one. I presume that by the American constitution the determination on sums to be appropriated must be vested in the supreme representative, and I hope

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\* 6 Sparks' Dip. Rev. Corr., 456.

there is so much confidence in the wisdom and integrity of that body as to believe that they do not ask for sums which are unnecessary.

Before I close this letter I will pray leave to repeat to your excellency a sentiment often expressed before, that I despise every scheme or system which must depend for its success on mystery or concealment, and am convinced that our credit will never be fully established until all our public affairs are open to the public eye. I ardently long for the arrival of that moment when I may lay a state of them before the world, in an account of the moneys received and the moneys expended, with the debts we owe, and the produce of the funds assigned for the payment of them. Your excellency is not a stranger to many of the reasons why such an account can not now be framed, and will, I doubt not, sincerely co-operate with me in removing them.

I have the honor to be, &c.,

ROBERT MORRIS.

**Communication of the French Minister to the Secretary of Foreign Affairs. \***

IN CONGRESS, *May 1, 1782.*

The Secretary of Foreign Affairs having laid before Congress the following minutes of a communication made to him on the 28th of April by the minister of France, from letters of the Count de Vergennes, dated the 24th of December and the 22d of January last, viz:

After expressing his satisfaction in the success of our arms in Virginia, he laments the weakness of our Army and the incapacity in which it leaves us of pursuing so important a blow before England can recover from it, he says, though the plan of the ensuing campaign is not yet determined on, he has reason to believe that means will be used to aid us in the exertions we shall make to expel the enemy from this continent; and he wishes that this consideration and the obstinate adherence of the British to their plan of subduing this country, evidenced by their answer to the mediators, may rouse the United States to an early and animated exertion. He observes that the British are much embarrassed with respect to the measures they ought to pursue; that they still continue to represent us as a weak and divided people, in the hope that this may have some effect upon the powers of Europe, more particularly upon the mediators. He is of opinion that England will endeavor to make proposals to the several States separately; and though he does not apprehend that they will succeed in their attempt to detach them from the alliance, yet he presumes, while the issue is unknown, that they will avail themselves of it to induce a belief that they have a considerable interest in this country, and that the people at large wish to be connected with them. He hopes the wisdom of Congress will devise some means to frustrate this design. He expresses in strong terms the resolution of his majesty to adhere to the principles of the alliance, and to form no treaty of peace which does not secure to the United States the objects of it.

And this communication having been referred to a committee, and the committee having reported thereon, it was—

*Resolved*, That the Secretary of Foreign Affairs be, and he is hereby, directed to make a confidential communication to the several States of

\* 6 Sparks' Dip. Rev. Corr., 60.

the intelligence received by Congress on the 29th of April last through his department, in order that the States may be more fully impressed with the necessity of such united and determined exertions as, with the co-operation of our generous ally, will expel the enemy from their remaining posts within the United States, and display to the world the falsehood of the assertions of the British court that the people of these States are neither united nor determined in support of their national independence.

Decree of the King's Council in France.\*

[Translation.]

Decree of the king's council of state, prescribing the formalities to be observed on the exportation from the ports of the kingdom of merchandise obtained from prizes.

[Extract from the records of the council of state.]

The king having been informed that the facility granted by the fourteenth article of the decree of his council of the 27th of August, 1778, concerning merchandise obtained from prizes has been abused so that merchandise of English origin is taken on board when under sail or in foreign countries, and is imported under the character of merchandise taken as prize into nations in alliance with his majesty, he has thought proper to explain his intentions. Wishing to remedy this evil, and having heard the report of M. Joly de Fleury, one of the common council of state, and of the royal council of finance, *the king in council* has commanded and commands that all the merchandise named in the said fourteenth article of the regulation of August 27, 1778, and the adjudication of which is made only upon condition of its reëxportation to a foreign country, can not be exported from the ports of his kingdom unless it be accompanied with the copy of the *procès verbal* of the sale made by the admiralty, or by the intendant or the director of the marine, duly certified by the register, or by the controller of the marine, and examined by the receiver and controller of the *bureau des fermes*, which, conformably to the eighteenth article of the same decree, must mention that the goods have actually been taken from the mart, and embarked on board of the vessel designated. His majesty forbids the clerks and overseers of the *adjudicataire de ses fermes*, under penalty of being deprived of their offices, and subjected to the severest punishment if it should be done, to allow any of the merchandise in question to be exported without the previous formalities having been observed.

Done at the king's council of state, his majesty being there present, held at Versailles, the 4th of May, 1782.

LA CROIX CASTRIES.

Livingston to Carmichael.†

PHILADELPHIA, May 1, 1782.

DEAR SIR: I was favored with your letters of the 20th of December; that of the 17th, which you mention to have written to the late committee of foreign affairs, never came to hand. If you have received my former letter, you will find your question relative to the continuance of

\* 6 Sparks' Dip. Rev. Corr., 61.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 87, with verbal changes.

your correspondence already answered. But lest you should not, let me repeat it, by assuring you that it will always give me very great pleasure to hear from you. The channels of communication with this office are much too few to induce me to shut up one by which we receive the most frequent and important intelligence. I shall endeavor to send you a cipher by this or the next safe opportunity, and shall after that look for a strict compliance with your promise. I make no remark on the political parts of your letters, both because I have no cipher yet settled with you, and because I shall always write fully on these subjects to Mr. Jay. It gives me pleasure to see the train you are establishing to procure intelligence and to cultivate the esteem of persons who may be of use to us. This has been, and is still, too much neglected; but that neglect makes your address and attention the more important.

The season of the year and the activity of the British deprive me of the means of making a full return for the intelligence you communicate. Our attention is at present turned to an object which, though apparently small, promises to have consequences of some moment. You will find in the papers enclosed an account of the execution of a militia officer, Captain Huddy, by a band of Tories, on some false pretences. The General has demanded the perpetrators of this crime, or threatened to retaliate upon some British officer of equal rank. As his letter does him honor I enclose a copy, which you will be pleased to show to Mr. Jay. Clinton is reduced to great straits; he has already been the means of one officer's dying on a gibbet. He would be execrated by the army should he occasion the ignominious death of another. On the other hand, he is already very unpopular with the Tories. Should he give up those of the refugee corps who are concerned in this business, which has probably been done by the direction, or at least the connivance, of their board of directors, he will be embroiled with them. They form a kind of *imperium in imperio*. The directors, being in a great measure independent of the commander-in-chief, have the custody of their own prisoners, regulate their own exchanges, divide the plunder they make according to their own rules, and correspond regularly with the ministry; which circumstance alone is sufficient to excite a kind of rivalry between them and the commander-in-chief.

Several propositions have been made for the exchange and comfortable support of prisoners, all of which have proved abortive, from the resolution of the British not to pay arrears they have incurred, which amounts to near £300,000 sterling. Some measures which will surprise them not a little will be taken. I shall write particularly to Mr. Jay on this subject, because it will need explanation in Europe. You will consult Mr. Jay on the propriety of publishing the affair of Huddy in the European papers; and if he shall think it may be of any use, take measures for the purpose.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Morris to Wendell.\*

OFFICE OF FINANCE, *May 1, 1782.*

SIR: I have been duly honored with yours of the 7th and 15th of April. From what you propose with respect to the establishment of a bank in New Hampshire, as well as from the ideas which you say are entertained of the increase of my private fortune, I am convinced that you and other gentlemen are alike mistaken as to the nature of the national bank, and my official connections and transactions. The confidence you have been pleased to repose in me and your communication of sentiment as to public affairs require of me that I should give such explanation of both as the multiplicity of objects which engross my attention will permit.

The bank is a mere thing, in which any man can be interested who chooses to purchase stock. Personally I have no other concern in it than any other gentleman may have who pleases to invest his property in it. The government have nothing to do with the bank, except merely to prevent the directors, should they be so inclined, from extending their operations in a manner disproportionate to their capital, thereby endangering their credit. Any aid which the government derives from the bank is by lodging proper securities with it, and borrowing money for short periods on the discount of interest at the rate of six per cent., which is receiving ninety-nine and paying a hundred at the end of two months. The moneys so borrowed are punctually repaid.

By accepting the office I now hold I was obliged to neglect my own private affairs. I have made no speculation in consequence of my office, and instead of being enriched, I am poorer this day than I was a year ago.

You will, from what I have said, see two sufficient reasons against adopting the plan you have proposed. That I have not money, and that I have totally quitted commerce and commercial projects, to attach myself wholly to a business which requires my whole attention. A principal object of my last letter was to acquaint you with this circumstance, and by what I have there said I meant to acquaint you also with the manner of doing business at the bank. If, for instance, you draw a bill in favor of your factor here on a merchant of reputation payable at sixty days' sight and that merchant accepts the bill, your factor can get ninety dollars for every hundred of the bill by discounting it at the bank, and with that money can purchase the articles you direct; but you must then be careful to make due remittances to the merchant on whom you draw. If by connecting yourself in this manner with any gentleman in trade here you can derive any benefit it will afford me a very sensible pleasure, but as to myself, I must again repeat that I have quitted trade; and I will add, that the closing my past dealings, which

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\* 6 Sparks' Dip. Rev. Corr., 457.

is now the only private object of my attention, requires time, which I can not spare for the purpose; and of consequence it is, with everything else of a private nature, very much neglected, to my very great disadvantage.

I am, &c.,

ROBERT MORRIS.

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Hartley to Franklin.\*

LONDON, *May 1, 1782.*

MY DEAR FRIEND: I have received a packet from you containing several letters of various dates. As I shall probably have a safe opportunity of conveyance to you when Mr. Laurens leaves this country, I am now sitting down to write to you an *omnium* kind of letter of various matters as they occur. The late ministry being departed, I may now speak of things more freely. I will take a sentence in one of your letters for my text. *Vide* yours of April 13th, 1782, in which you say *you were of opinion that the late ministry desired SINCERELY a reconciliation with America, and, with that view, a separate peace* with us was proposed. I must qualify this sentence much before I can adopt it as my opinion. As to *reconciliation*, I never gave much credit to them for that wish. *It is a sweet expression. It certainly means MORE than peace.* The utmost I ever gave the late ministry credit for was a wish for peace. And I still believe that the wisest among them grew from day to day more disposed to peace, or an abatement of the war, in proportion as they became more alarmed for their own situations and their responsibility. Had the war been more successful I should not have expected much relenting towards peace or reconciliation. That this has always been the measure of my opinion of them I refer you to some words in a letter from me to you dated January 5th, 1780, for proof—"but for the point of sincerity; why, as to that, I have not much to say; I have at least expected some hold upon their *prudence*."

My argument runs thus: It is a *bargain* for *you* (ministers) to be sincere *now*. Common prudence may hint to you to look to yourselves. It has amazed me beyond measure that this principle of common selfish *prudence* has not had the effect which I expected. I have not been disposed to be deceived by any conciliatory professions which I considered only as arising from prudence, and I hope that I have not led you into any deception, having so fully explained myself to you on that head. Had the American war been more prosperous on the part of the late ministry I do not believe the late resignation would have taken place. But it is evident from the proposition to the court of France which you have communicated to me (and which I have communicated to the present ministry, with your letter), that even to the last hour some part



of the late ministry were still set upon the American war to the last extremity; and probably another more *prudent* part of the ministry would proceed no further; which, if it be so, may reasonably be imputed as the cause of the dissolution of the late ministry.

These have been the arguments which I have always driven and insisted upon with the greatest expectation of success, viz: *prudential* arguments, from the total impracticability of the war, responsibility, &c. I have been astonished beyond measure that these arguments have not sooner had their effect. If I could give you an idea of the many conferences which I have had upon the subject I should tell you that many times *Felix has trembled*. When reduced by the terror of responsibility either to renounce the American war or to relinquish their places, they have chosen the latter, which is a most wretched and contemptible retribution either to their country or to mankind for the desolation in which they have involved every nation that they have ever been connected with. Peace they would not leave behind them. Their legacy to their country and to mankind has been—*let darkness be the burier of the dead!*

As to the proposal of a separate peace arising from a desire of *reconciliation*, it certainly was so on the part of the people of England; but on the part of the late ministry it probably arose from the hopes of suggesting to France ideas of some infidelity on the part of America towards them. If you should ask me why I have *seemed* to conspire with this, my answer is very plain. In the first place, if I could have prevailed with the late ministry to have actually made an irrevocable offer *on their own part* of a separate peace to America, that very offer would, in the same instant, have become on their part also a consent to a general peace, because *they* never had any wish to a separate contest with France; and, America being out of the question, *they* would have thought of nothing after that but a general peace. I never could bring them even to this. *They* wished that *America* should make the offer of a separate treaty for obvious views. *My* proposal was that *they* should offer irrevocable terms of peace to America. If they had meant what they pretended, and what the people of England did really desire, they would have adopted that proposition. Then the question would have come forward upon the fair and honorable construction of a treaty between France and America, *the essential and direct end* of which was fully accomplished. When I speak of Great Britain offering irrevocable terms of peace to America, I mean such terms as would have effectually satisfied the provision of the treaty, viz: tacit independence.

I send you a paper entitled a *Breviate*, which I laid before the late ministry, and their not having acted upon it was a proof to me that the disposition of their heart to America was not altered, but that all their relenting arose from the impracticability of that war, and their want of success in it. But desponding as they were at last, it was

not inconsistent with my expectations of their conduct that they should make great offers to France to abandon America. It was the only weapon left in their hands. In course of negotiating with the late ministry I perceived their courage drooping from time to time for the last three or four years, and it was upon that ground I gave them credit for an increasing disposition towards peace. Some dropped off, others sunk under the load of folly, and at last they all failed. My argument *ad homines* to the late ministry might be stated thus: *If you don't kill them, they will kill you.* But the war is impracticable *on your part*; ergo, the best thing you can do, *for your own sake*, is to make *peace*. This was reasoning to men, and through men to things. But there is no measure of rage in pride and disappointment:

“Spicula cæca relinquunt  
Infixa venis, animasque in vulnere ponunt.”

So much for the argument of the *breviate* as far as it respected the late ministry. It was a test which proved that they were not sincere in their professions. If they had been in earnest to have given the war a turn towards the house of Bourbon, and to have dropped the American war, a plain road lay before them. The sentiments of the people of England were conformable to the argument of that *breviate*; or rather I should say, what is the real truth, that the arguments of the *breviate* were dictated by the notoriety of that sentiment in the people of England. My object and wish always has been to strike at the root of the evil, the American war.

If the British nation have jealousies and resentments against the house of Bourbon, yet still the first step in every case would be to rescind the American war, and not to keep it lurking in the rear, to become hereafter, in case of certain events, a reversionary war with America for unconditional terms. This reversionary war was never the object of the people of England; therefore the argument of the *breviate* was calculated *bona fide* to accomplish their views, and to discriminate the fallacious pretences of the late administration from the real wishes of the country, as expressed in the circular resolutions of many countries in the year 1780, first moved at York on March 28th, 1780. Every other principle and every mode of conduct only imply, as you very justly express it, a secret hope that war may still produce successes, and then—. The designs which have been lurking under this pretext could not mean anything else than this. Who knows but that we may still talk to America at last? The only test of clear intentions would have been this, to have cut up the American war, and all possible return to it for any cause or under any pretext. I am confident that the sentiment of the people of England is, and always has been, to procure peace and reconciliation with America and to vindicate the national honor in the contest with the house of Bourbon. If this intention had been pursued in a simple and direct manner, I am confident that the honor and safety of the British nation would long ago

have been established in a general peace with all the belligerent powers. These are the sentiments upon which I have always acted in those negotiations which I have had upon the subject of peace with the late ministry—reconciliation with America and peace with all the world upon terms consistent with the honor and safety of my own country.

Peace must be sought in such ways as promise the greatest degree of practicability. The sentiments of individuals as philanthropists may be overborne by the power of ancient prejudices, which too frequently prevail in the aggregates of nations. In such case, the philanthropist who wishes the good of his own country and of mankind must be the bulrush bending to the storm, and not the sturdy oak, unavailingly resisting. National prejudices are, I hope, generally upon the decline. Reason and humanity gain ground every day against their *natural* enemies, folly and injustice. The ideas of nations being *natural* enemies to each other are generally reprobated. But still *jealousies* and ancient rivalships remain, which obstruct the road to peace among men. If one belligerent nation will entertain a standing force of three or four hundred thousand fighting men, other nations must have defended frontiers and barrier towns, and the barrier of a neighboring island, whose constitution does not allow a standing military force, must consist in a superiority at sea. It is necessary for her own defence. If all nations, by mutual consent, will reduce their *offensive* powers, which they only claim under the pretext of necessary *defence*, and bring forward the reign of the millennium, then away with your frontiers and barriers, and your Gibaltars, and the key of the Baltic, and all the hostile array of nations :

Aspera compositis nitescant sæcula bellis.

These must be the sentiments of every philanthropist in his interior thoughts. But if we are not to seek peace by some practicable method, accommodated to the remaining prejudices of the multitude, we shall not in our own time, I fear, see that happy day. If Great Britain and France are ancient rivals, then, until the reign of the millenium shall approach, arrange that rivalry upon equitable terms ; as the two leading nations of Europe, set them in balance to each other, the one by land, the other by sea. Give to France her elevated rank among the nations of Europe. Give to Great Britain the honor of her flag and the security of her island by her wooden walls, and there would be no obstruction to general and perpetual peace. The prejudices of disrespect between nations prevail only among the inferior ranks. Believe me, for one at least, I have the highest sentiments of respect for the nation of France. I have no other sentiments of hostility but what are honorable towards them, and which, as a member of a rival state at war with them, consists in the duty of vigilance which I owe towards the honor and interests of my own country. I am not conscious of a

word or a thought, which, *on the point of honor*, I would wish to have concealed from a French minister.

In the mode which I have proposed of unravelling the present subjects of jealousy and contest, I would make my proposals openly to France herself. Let America be free and enjoy happiness and peace forever. If France and Great Britain have jealousies or rivalships between themselves as European nations, I then say to France, let us settle these points between ourselves, if unfortunately we shall not be able by honorable negotiation to compromise the indispensable points of national honor and safety. This would be my language to France, open and undisguised. In the meanwhile I desire you to observe that it would not be with reluctance that I should offer eternal freedom, happiness, and peace to America. You know my thoughts too well to suspect that. I speak only as in a state of war, desirous to arrange the complicated interests, and to secure the respective honor of nations. My wishes are, and always have been for the peace, liberty, and safety of mankind. In the pursuit of those blessed objects, not only this country and America, but France herself, and the house of Bourbon, may justly claim the conspiring exertions of every free and liberal mind, even among their temporary enemies and rivals.

I am, etc.,

D. HARTLEY.

BREVIATE MENTIONED IN THE PRECEDING LETTER.

FEBRUARY 7, 1782.

It is stated that America is disposed to enter into a negotiation of peace with Great Britain without requiring any formal recognition of independence; always understood that they are to act in conjunction with their allies, conformable to treaties.

It is therefore recommended to give for reply that the ministers of Great Britain are likewise disposed to enter into a negotiation for peace, and that they are ready to open a general treaty for that purpose.

If the British ministers should see any objection to a general treaty, but should still be disposed to enter into a separate treaty with America, it is then recommended to them to offer such terms to America as shall induce her to apply to her allies for their consent that she should be permitted to enter into a separate treaty with Great Britain. The condition of which being the consent of allies, no proposition of any breach of faith can be understood to be required by them by the requisition of a separate treaty.

The British ministers are free to make any propositions to America which they may think proper, provided they be not dishonorable in themselves, which, in the present case, is barred by the supposition of consent being obtained. In this case, therefore, if they should be inclined to offer a separate treaty, it is recommended to them to offer such

terms to America as should induce her to be desirous of closing with the proposal of a separate treaty, on the grounds of national security and interests, and likewise such as may constitute to them a case of reason and justice, upon which they may make requisition to their allies for their consent. It is suggested that the offer to America of a truce of sufficient length, together with the removal of the British troops, would be equivalent to that case, which is provided for in the treaty of February 6, 1778, between America and France, viz: *tacit* independence; and the declared ends of that alliance being accomplished, it would not be reasonable that America should be dragged on by their allies in a war, the continuance of which, between France and Great Britain, could only be caused by separate European jealousies and resentments (if, unfortunately for the public peace, any such should arise) between themselves, independent and unconnected with the American cause. It is to be presumed that France would not, in point of honor to her allies, refuse her consent so requested, as any rivalry or punctilios between her and Great Britain, as European nations (principles which too frequently disturb the peace of mankind), could not be considered as *casus fæderis* of the American alliance; and their pride as a belligerent power would not permit them to claim the assistance of America as necessary to their support, thereby proclaiming their nation unequal to the contest in case of a continuance of a war with Great Britain, after the settlement and pacification with America. Their consent, therefore, is to be presumed. But if they should demur on this point, if Great Britain should be disposed to concede *tacit* independence to America by a long truce, and the removal of the troops, and if the obstruction should evidently occur on the part of France, under any equivocal or captious construction of a *defensive* treaty of alliance between America and France, Great Britain would from thenceforward stand upon advantage ground, either in any negociation with America, or in the continuance of a war including America, but not arising from any further resentments of Great Britain towards America, but imposed reluctantly upon both parties by the conduct of the court of France.

These thoughts are not suggested with any view of giving any preference in favor of a separate treaty above a general treaty, or above any plans of separate but concomitant treaties, like the treaties of Munster and Osnaburg, but only to draw out the line of negotiating a separate treaty, in case the British ministry should think it necessary to adhere to that mode. But in all cases it should seem indispensable to express some disposition, on the part of great Britain, to adopt either one mode or the other. An absolute refusal to treat at all must necessarily drive America into the closest connexion with France, and all other foreign hostile powers, who would take that advantage for making every possible stipulation to the future disadvantage of British interests, and above all things would probably stipulate that America



should never make peace with Great Britain, without the most formal and explicit recognition of their independence, absolute and unlimited.

[Fox's letter to Franklin of May 1, 1782, is given *infra* in Franklin's Journal, under date of July 1, 1782.]

[Adams to Franklin, of May 2, 1782, is given *infra* in Franklin's Journal, under date of July 1, 1782; and also in 9 Sparks' Franklin, 260; 3 Sparks' Dip. Rev. Corr., 607; 7 J. Adams' Works, 580.]

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J. Adams to Dumas.\*

AMSTERDAM, May 2, 1782.

SIR: Your favor of the 30th I had the honor to receive yesterday with Mr. Nolet's letter and your answer. What shall I say to this affectionate, as well as polite invitation to dine at Schiedam? I am now, and shall be a long time exceedingly fatigued with the affair of the loan, which takes up the greater part of my attention and time. The treaty of commerce is also, you know, under consideration, and the merchants of the American Coffee House have proposed a public dinner here; but I have begged to be excused. You see the difficulties, for which reasons I earnestly wish that our kind friends of Schiedam would be so good as to excuse us; but I will leave the whole to you, and if I can not be excused I will conform to the day you agree upon. But there is another affair, which not only perplexes me in this business of the dinner, but in many other matters of importance. There is a serious negociation going on for peace between the courts of London and Versailles, and Dr. Franklin, who has sent me the whole, has invited Mr. Laurens, Mr. Jay, and me to Paris to consult and treat. This may make it necessary to go at a short warning.

I hope you are in possession of the house at The Hague, and advise you to live in it. Your answer to Mr. Nolet is very just.

It is my opinion, with submission to Congress, that it is the interest and duty of the United States to send you a commission to be Secretary of this legation, and *chargé d'affaires*, with a salary of five hundred pounds sterling a year during the time that there is a minister here; and at the rate of a thousand a year when there is not; and you have my consent to transmit this opinion to Congress by sending an extract of this letter, or otherwise, by as many ways as you please. I shall write the same myself. I wrote as much more than a year ago, but know not whether the letter has been received, as a vast number of my letters have been thrown overboard, and many taken.

If the dinner at Schiedam should be agreed on, there will be no difficulties in finding a way for us three to go all together. All that is before said about the negociation for peace, you know must be kept secret.

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\* 5 Sparks' Dip. Rev. Corr., 347.



But if I go to Paris, I shall break up my house here entirely, and dismiss all my servants.

I have the honor to be, with compliments to the ladies, &c.,

JOHN ADAMS.

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**Message of Dumas to the City of Schiedam.\***

The following verbal message on the part of Mr. Adams to the secretary of the city of Schiedam, was given by M. Dumas on the 8th of May, 1782:

SIR: The diversity of sentiments which exists in this republic in relation to the circumstances in which it stands to the United States of America having appeared to Mr. Adams capable of causing some embarrassment to the merchants of Schiedam, if he accepted their polite invitation, he has thought that he could not better prove the regard and affection which he has for those gentlemen than by declining their polite request. He has, therefore, charged me, sir, to assure you of his extreme sensibility for the honor and friendship they have manifested in his person to his sovereign; and of his intention not only to make mention of it in his first despatches to Congress, but also to show on all occasions how much he is disposed to reciprocate this cordial civility by every means in his power.

DUMAS.

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**Livingston to the Governors of the States.†**

OFFICE OF FOREIGN AFFAIRS,  
*Philadelphia, May 2, 1782.*

SIR: The enclosed resolution of Congress will explain the cause of this letter. The information it refers to is an assurance that Britain had absolutely declined any interference of the mediating powers between them and what they call their rebel subjects. They persist on every occasion in representing us as a divided people, who anxiously wish to return to our connexion with England. In this they have two objects equally important to them. 1st. They encourage England to continue a war which they expect to see terminated by our own weariness and langour; and 2dly, they put such a face upon their affairs as will entitle them on a negociation to make demands at our expense, which they would not presume to think of if the mediators were acquainted with our firm resolution never to return to our obedience to their government. Besides which, they cast a degree of odium upon the conduct of France, representing it as the support of a discontented faction rather than as the generous ally of an oppressed nation.

There is reason to apprehend that in order the better to secure the advantages of this deceitful policy to themselves they will make proffers to each of the United States. If any of them should listen to them

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 345.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 175.

(which can not, however, be presumed), they will urge this as a proof of their assertions, even if they should decline receiving their proposals and refer them to Congress, as from the nature of our union they undoubtedly must; still as the result of the experiment can not be known for some time in Europe, they will avail themselves of it in part, if negotiations should open.

This artifice of the enemy may be counteracted in two ways, both of which deserve the serious attention of your legislature. The first and most important is by making such exertions to procure a respectable army early in the season, that the mediators casting their eyes upon the muster rolls may there read a full refutation of all that British artifice can suggest. I need not observe that this measure must go hand in hand with taxation, since an army without the means of supporting it would only increase our evils. The second is, to anticipate the attempt of Great Britain by such resolutions as the information contained in this letter suggests, resolutions which strongly mark a spirited determination in the legislature of each State to listen to no negotiations except through the intervention of Congress, which manifest their attachment to the independence of their country and inviolable regard to the faith they have pledged to each other and to their allies. These may either prevent the attempt I apprehend, or arrive in time to counteract this effect, which the false expectations built thereon might otherwise have in Europe.

I mention this to your excellency without any express direction from Congress. It is more than probable that your judgment and the zeal and wisdom of the legislature may improve these loose hints to the general advantage of the United States. I have the pleasure of assuring your excellency and the legislature that the fairest prospects are now before us of terminating the war by a single exertion. Though I am not at liberty to say that the plan of the ensuing campaign is absolutely determined on, yet I have great reason to believe that we shall receive such powerful military aid as, with becoming exertions on our part, will free every State in the Union from the grasp of the enemy.

Here, sir, I might pause and suffer my imagination to dwell upon the animating prospect before us; but reasoning from the past to the future I dare not indulge the pleasing idea. We have at no period been in a situation to second fully the endeavors of our ally to serve us; we either neglected to assemble our army in time or to provide the means for supporting or moving them; a feather would have turned the balance last year, notwithstanding the powerful aid we received from abroad. Providence blinded our adversaries; to their temerity we owe our success.

But, sir, let me ask whether any State did then or has even now done all in its power to enable our generals to prosecute this victory. Or rather let me turn to what is more within our line, by observing that the inferiority of our army in point of numbers to that of our ally while they acted at Yorktown has been considered in Europe as a proof of

the assertions of Britain, and has been urged as an argument of our weakness, our weariness of the war, or our internal divisions. A moment's reflection will show the advantages that this affords our antagonist in a negotiation, how much it weakens the claims we make, and how many important benefits may be lost forever by our appearing in Europe to receive our independence rather as a gift than to have established it by our exertions!

But, sir, it is still in our power to repair these errors. Let us avail ourselves of this favorable moment for expelling the enemy and recovering our diminished credit among the nations of the earth.

I make no apology for the liberty I take. Your excellency, I am persuaded, is too sensible of the truth of these observations to think they could be delivered with less earnestness by one who feels their importance, and I am confident that you will bring them before the legislature of your State in such a manner as will best serve to ensure them their attention.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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[Hartley's letter to Franklin of May 3, and Franklin's letter to Vergennes of May 4, 1782, given *infra*, in Franklin's Journal under date of July 1, 1782.]

**Report to Congress on a Memorial of the Merchants of Philadelphia.\***

OFFICE OF FINANCE, *May 4, 1782.*

The Superintendent of the Finances of the United States, to whom was referred the report of a committee on a memorial of the merchants of Philadelphia, and motion thereon, begs leave to report—

That the Navy of the United States is not in a situation to afford protection to their commerce, nor can it be rendered equal to that object for some considerable time, even if the necessary funds could be procured. That there remains no mode of obtaining such protection, unless from the allies of the United States or the powers engaged with them in war against Great Britain.

That the commerce of these States is of such importance that it is not improbable that the court of France would afford permanent protection if in their power, and that in the interim some relief may, perhaps, be obtained from the fleets in the West Indies.

The following resolution therefore is submitted:

That the Superintendent of the Finances prepare a statement of the commerce of the United States, together with a plan for the protection thereof.

That the Secretary of Foreign Affairs communicate the same to the minister of his most Christian majesty, and cause application to be

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 458, with verbal changes and omissions.

thereupon made by the minister of these States to the court of Versailles, and that the Superintendent, as agent of marine, make application on the same subject to the commanders of the fleets of France and Spain in the West Indies [for such protection as may be in their power to afford]. \*

ROBERT MORRIS.

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Luzerne to Livingston.†

[Translation.]

PHILADELPHIA, *May 7, 1782.*

SIR: I have the honor of sending you the commission by which the Chevalier d'Annemours has been appointed his majesty's consul in the five southern States. Be pleased to have the kindness to lay it before Congress, that they may pass an act for the recognition of his character, and that the necessary letters may in consequence be despatched to the different legislatures. I will myself see that they are forwarded if you will send them to me. The representatives of Maryland and Virginia being now assembled, you will confer a particular favor on me by bringing this affair to a termination as soon as possible.

I have the honor to be, &c.,

LUZERNE.

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[Vergennes' letter to Franklin of May 5, and Franklin's to Adams of May 8, 1782, are given *infra* in Franklin's Journal under date of July, 1782.]

Secret Journals of Congress—Negotiations with Portugal‡

MAY 8, 1782.

A letter from the Secretary for Foreign Affairs was read in the words following:

PHILADELPHIA, *May 7, 1782.*

SIR: Mr. Jay, in his letter of the third of October last, holds forth the idea of sending an envoy to Lisbon.

As in the present situation of our affairs this may not be thought to promise advantages equivalent to the expense the United States will incur thereby, or the loss of reputation they may sustain if their solicitations should be rejected, I take the liberty to request the sense of Congress on their resolution of the eleventh day of July, a copy of which is enclosed. I must confess it appears to me that in our present circumstances a variety of reasons present themselves for its repeal.

I have the honor to be, sir, your most obedient, humble servant,

ROBT. R. LIVINGSTON.

The honorable Mr. CARROLL,  
*Chairman of Congress.*

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\* Passage in brackets omitted in Sparks' ed.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 62.

‡ MSS. Dep. of State.

Thereupon, on motion of Mr. Madison, seconded by Mr. Telfair,  
*Resolved*, 'That it be an instruction to Mr. Jay not to send Mr. Carmichael to the court of Portugal, in pursuance of the resolution of the eleventh day of July, 1781, unless he shall have good grounds to expect that such a measure will attain the object proposed by the Superintendent of Finance.

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Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS,  
 May 8, 1782.

SIR: The enclosed account of the annual expense of the Department of Foreign Affairs, exclusive of contingent expenses, was made out at the request of the Superintendent of Finance, that measures might be taken to discharge the salaries of the gentlemen in Europe, who express great uneasiness on the subject; but as it is incomplete till the allowance to the private secretaries of Dr. Franklin and Mr. Adams are ascertained, I have thought it proper to lay the whole before Congress for their direction thereon.

Congress were pleased to order, by their resolution of the 2d of January last, that the Secretary of Foreign Affairs should lay before them an estimate of the expenses which will probably be incurred by the foreign ministers of the United States respectively and their secretaries. I find myself under great embarrassments in preparing a report agreeably to their order, from not being able to enter fully into their views. I should presume that the expense of foreign ministers ought to be regulated by their salaries, though I feel that the desire of supporting the dignity of an office to which the salary is incompetent often urges men to quit this line, how much soever they may be embarrassed thereby. Justice suggests that the salaries of officers who are engaged in so delicate and difficult a department as that of foreign affairs should have such appointments as to free them from embarrassments with respect to their private affairs. I believe Congress had this in view when they settled those of their foreign ministers, none of whom complain of their being inadequate, unless it be Mr. Jay, who has given us some reason to think his salary, in his opinion, is barely sufficient for his support, and that his manner of living is not equal to what he conceives the dignity of the United States requires. With respect to the salaries of the secretaries to the embassies, they are, in my opinion (founded upon the practice of other nations), at least the double of what they ought to be.

If, as I presume, Congress intended by their resolution that I should lay before them an account of the manner in which our foreign minis-

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 178.

ters live at present, that they might themselves be enabled to judge of the proportion it bore to their appointments, I can only say that the result of inquiries on this head must necessarily be extremely uncertain. I submit them as far as they have come to my knowledge.

Dr. Franklin has a part of M. Chaumont's house at Passy; he keeps a chariot and pair, and three or four servants, and gives a dinner occasionally to the Americans and others; his whole expense is, as far as I can learn, very much within his income.

Mr. Adams lives in lodgings, keeps a chariot and pair, and two men servants; he has hitherto retained a private secretary in the absence of Mr. Dana, who will, it is to be presumed, be paid by Congress. I have lately heard that Mr. Adams was about to take a house.

Mr. Dana's salary, even if he should assume a public character, in a country where the relative value of money is so high that, if I am well informed, an elegant house may be had for fifteen guineas a year, is very ample.

Of Mr. Jay's manner of living I have been able to obtain no account, but should conclude from the price of the necessaries of life in the part of Spain in which he lives, from the port, the court, and the people about it maintain, and, above all, from its sitting in different parts of the kingdom, that to live in the same style with Dr. Franklin or Mr. Adams his expenses must amount to nearly double of theirs.

But as every conjecture of this kind must be very uncertain, all I can do is to lay before Congress the relative expense, as far as I can learn it, between the different places at which our ministers reside, taking Philadelphia for the common standard.

Paris, if wine, clothing, and the wages of servants are included, is about twenty per cent. cheaper than Philadelphia; Amsterdam ten, and at Madrid the expenses of a family are somewhat higher than at this place. But the unsettled state of those who follow the court, their traveling equipage and charges must greatly enhance this expense.

Congress will make their own deductions from these facts, after allowing for their inaccuracy. I would, however, take the liberty to submit the enclosed resolutions to Congress. The first is founded upon the propriety of supplying Dr. Franklin with a secretary, which his age and the dignity of his employment render necessary. As Mr. Jay is not yet acknowledged, Mr. Carmichael's services in Spain may be dispensed with.

The second, third, fifth, and sixth are designed to make a reform in the article of expense.

The fourth, to prevent the claim which any gentlemen who may be appointed to any of the northern courts may have to the salary settled by Congress on the 5th of October, and to adapt the character to the allowance.

The sixth, to enable Congress, without injuring the dignity of their ministers, to proportion the allowance to the expense of the court they



reside at, as well as to the port which they would wish them to maintain.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Livingston to Morris.\*

PHILADELPHIA, *May 8, 1782.*

DEAR SIR: I enclose the list of salaries you requested. The charges of those who act as secretaries to Dr. Franklin and Mr. Adams are not yet settled. I shall lay the list before Congress and make them some propositions on the subject. It will be necessary to afford a small sum to each of the ministers to enable them to defray contingent expenses, which are continually happening, particularly to Dr. Franklin, who is at the centre of all our communications. I will converse with you on this subject, and endeavor to form an estimate of what this ought to be.

I am, sir, &c.,

ROBERT R. LIVINGSTON.

Livingston to Luzerne.†

OFFICE OF FOREIGN AFFAIRS, *May 8, 1782.*

SIR: I was yesterday honored with yours of that date. I have this day presented the commission with a draft of the necessary resolutions thereon to Congress, and I doubt not that they will immediately pass, when the letters and papers you request will be put into your hands.

I do myself the honor to enclose a letter from Mr. Morris to me in answer to one I had written him on the subject of the volunteers who served on board the *Ariel*. You will see by that a state of the accounts, and that the balance is ready to be paid to their order. I have requested the paymaster-general to make up the accounts of the late Baron de Kalb and M. de la Radière, and shall endeavor as soon as possible to enable you to give a satisfactory answer to their representatives on that subject. You will be pleased to return me the enclosed letter, after having made such use of it as you may think proper.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 177.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 63.

Morris to the President of Congress.\*

OFFICE OF FINANCE, *May 8, 1782.*

SIR: His excellency the minister of France, in a late letter to me, has officially declared that in future no sums will be paid to the ministers of the United States in Europe by this court. It becomes necessary, therefore, to make provision for their support here. I immediately applied to the minister of foreign affairs for an account of the annual salaries payable to his department. I have received it this day, and do myself the honor to enclose a copy. I must take the liberty to observe that the sum is very large, and such as can not be advanced without greatly retrenching from essential service, at least in the present moment. It will, I humbly conceive, be necessary that arrangements should be taken so that in future all such salaries as are payable to foreign ministers be advanced in America, and negotiated by their respective agents. This will be more honorable to the United States, and I should suppose more agreeable to the gentlemen concerned.

The minister of France has also observed that the accounts between his most Christian majesty and the United States having become very important by the greatness of the sums advanced and lent, it is indispensable that measures be taken to adjust them, and avoid that confusion which would be introduced by a longer delay. And in consequence he has desired that Congress would transmit to Dr. Franklin full power finally to settle those accounts, and in the name of the United States to execute the proper obligations for securing the debt and fixing the periods of payment. To this he adds that it is not expected that Congress can do anything towards payment during the war, but that they will fix the several epochs at which it shall be made.

To a proposition so reasonable there will, I presume, be no objection. The solidity of the observation on which it is founded can not be called in question, and I am induced by it to extend the remark a little farther. The great sums which remain unsettled and undetermined between the French court and the United States are alike unsettled between the latter and their public servants. How the accounts may stand I know not, but it is my particular duty to observe that there appears to have been but little received for the great sums which have been expended, and therefore it is highly necessary that the public accounts of these States with their servants in Europe be also settled. It shall be my duty in future to prevent the existence of such accounts; but their magnitude, as well as other circumstances, makes me extremely solicitous to have them adjusted.

I have the honor to be, &c.,

ROBERT MORRIS.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 459.

## Luzerne to Livingston.\*

[Translation.]

PHILADELPHIA, *May 9, 1782.*

SIR: Several different bearers of certificates of the different loans obtained by the United States, have applied to me to induce Congress to pay them back their capitals, or to pay the interest stipulated. Their claims are supported by recommendations from his majesty's ministers. I entreat you to be pleased to enable me to inform them of the measures taken on this subject. They have now suffered a long time on account of the suspension of the payments, and it is a long time since I asked for the information, which has been successively promised to me.

I am, sir, respectfully, &c.,

LUZERNE.

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 Livingston to Luzerne.†
OFFICE OF FOREIGN AFFAIRS, *May 9, 1782.*

SIR: I have the honor to enclose resolutions of Congress settling the ceremonial for the public audience on Monday.‡

Mr. Morris will deliver you the commission of the Chevalier d'Anne-mours; when you shall have made the alterations and returned it, I will immediately lay it before Congress.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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 Charles Thomson to Livingston.§

MAY 9, 1782.

SIR: The United States, in Congress assembled, having appointed Monday, the 13th instant, at twelve o'clock, for giving a public audience to the minister of France, and having resolved that a place be assigned to the principals in the three executive departments under Congress, I have the honor to inform you that the place assigned to those gentlemen is within the bar to the right, and next to the members of Congress on the left of the chair.

The United States in Congress assembled have further resolved, that the assistants and principal secretaries in each of the departments be

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\* 6 Sparks' Dip. Rev. Corr., 63.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 64.

‡ See the result of this audience in the Secret Journal of Congress, vol. 3, p. 107.

§ MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 181.

admitted without the bar of the House; the messenger of Congress has orders to furnish you with tickets for such of the gentlemen in your department as come within the above description.

I have the honor to be, &c.,

CHARLES THOMSON,  
*Secretary.*

**Livingston to the President of Congress.\***

OFFICE OF FOREIGN AFFAIRS, *May 9, 1782.*

The Secretary of Foreign Affairs humbly submits the following resolutions to the consideration of Congress.

ROBERT R. LIVINGSTON.

*Resolved*, That Mr. Carmichael be appointed secretary to the embassy from the United States to the court of Versailles, with a salary of four thousand dollars per annum.

*Resolved*, That Mr. Jay be empowered to appoint a private secretary, with a salary of one thousand dollars per annum.

*Resolved*, That Mr. Laurens, when he enters upon his mission to the United Provinces of the Low Countries, be empowered to appoint a secretary, with a salary of one thousand dollars per annum.

*Resolved*, That the commissioners for negotiating a peace, in case Mr. Dana shall not return, appoint a secretary to the commission, with a salary of one thousand dollars per annum.

*Resolved*, That the commission of minister plenipotentiary from the United States of America to the court of Petersburg be revoked, and that a commission issue to Francis Dana, constituting him resident at said court.

*Resolved*, That when he shall have been received in that character he be empowered to appoint a private secretary, with a salary of eight hundred dollars per annum, who shall remain in office till Congress think it proper to make another appointment.

*Resolved*, That the appointment of no secretary to any of the northern courts in future shall exceed one thousand dollars per annum, and that the appointments of a secretary to the embassy in France, Spain, and Holland, shall in future be two thousand dollars, excepting such secretaries as have been heretofore appointed.

*Resolved*, That the salary of a minister plenipotentiary from the United States, from the 1st day of January next, shall not exceed five thousand dollars, or that of a resident three thousand, but that an allowance be made for household expenses at and after the following manner:

To the minister plenipotentiary at the court of Versailles;

To the minister in Spain;

To the resident in the United Provinces (a minister being unnecessary);

To the resident at the court of Petersburg, and each of the other northern courts.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 180.

## Morris to the Governors of the States.\*

OFFICE OF FINANCE, *May 9, 1782.*

SIR: I do myself the honor to enclose you copies of three accounts which I have this day received from the Controller of the Treasury of the United States. Each State will from these accounts perceive what still remains for it to do in consequence of the resolutions of Congress of the 18th of March, 1780.

As this is a circular letter, the observations I make shall be general, and such as result from a general view of the object. The particular application of them, dependent on local circumstances, will be made by those to whom such circumstances apply. The resolutions of the 18th of March, 1780, were in part directed towards the redemption of the old Continental money, and the opinions which may have been formed as to the issuing of a new paper medium, the paying of interest upon it, and the connexion with relation to the old, are immaterial under the present point of view.

Nothing can be more clear and simple than this, that the bills issued by Congress for support of the war should be redeemed by taxes. This was one capital object of the resolutions; and as to the apportionment, I am to presume it was as perfect as the fluctuating nature of human affairs will permit, and more especially so when the few lights which could be obtained and the various circumstances of the several States are compared with the very variable object of depreciated paper which was then in contemplation. But admitting for argument's sake that the apportionment was not strictly right, this must also be admitted, that to redeem the paper was called for by principles both of reason and justice. It was, therefore, a duty of the several States to comply with the requisitions of their sovereign representative; for any inequalities, either actually existing or which a subsequent change of circumstances might produce, would admit of a remedy, but a neglect of the resolutions had the inevitable consequence of injuring the public credit, weakening the public operations, and risking our very existence as a people.

But however strong the motives which should have prompted a compliance, it will not be disputed that some of the States may have been in circumstances not to admit of the exertion; and whether this incapacity has arisen from exterior violences, or the defects of internal polity, or both, is in one sense immaterial because the eventual consequence is the same. Yet, though charity may for a time overlook these defects, it becomes the duty of each State to apply a remedy if the evil be in its nature remediable; and should they neglect what is in their power, they must expect complaints from Congress and the servants of Congress from the other States, and from their own bosoms the admoni-

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\* 6 Sparks' Rev. Dip. Corr., 460.

tions of conscience, which will become more poignant from every moment's delay.

A general view of the accounts now transmitted will show at a single glance that large sums of the old paper still remain to be provided for, and it might perhaps have been right in Congress to have fixed an ultimate day of redemption for the whole, and charged what remained due after that day at forty for one in specie to every deficient State. This I say might perhaps have been right if the ravages of war and other local circumstances had not required attention and forbearance as to some, if not all. But it can not be denied that many are now in a capacity to call in by taxes their quota of this paper. And those who are should consider what must be the feelings of men who hold it on the faith of so many promises, such repeated requisitions, and such sacred bonds of national faith and honor. What must be their feelings to find those promises violated, those requisitions neglected, and that faith disregarded? Can it be expected that while such flagrant instances of national neglect, to call it by no harsher name, are in the view of almost every citizen, we can possibly establish the fair reputation so essential to public credit?

The plea of inability is not to be admitted excepting, as I have already observed, in some very particular circumstances. Considering our country in a general point of view, this paper laying dead is already lost, and the only question is, whether that loss shall be borne by the whole people or only a part of them. Those who parted with it have received the value, and it would be a flagrant injustice that the whole tax for redeeming it should fall on those who have received it. Neither can it be supposed that if any were inclined to promote such injustice it would be borne by the sufferers. And whether these sufferers are individuals or States, the suffering is the same; the sentiment therefore must be the same, and so will the conduct be which that sentiment shall dictate.

I have the honor to be, &c.,

ROBERT MORRIS.

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Livingston to Jay.\*

PHILADELPHIA, *May 9, 1782.*

DEAR SIR: Your letter of the 6th of February, with a duplicate of that of August last, directed to the President, has been received and read in Congress. I am extremely surprised to find from that and yours to me that so few of my letters have reached you, since no vessel has sailed from this, or, indeed, from any of the neighboring ports, without carrying letters or duplicates of letters from me. The whole number

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 445, with verbal changes; 2 Corr. & Pub. Papers of John Jay, 302.



directed to you, including the duplicates, from October to this time, amounts to twenty-four; so that they must certainly be suppressed in many instances. But what astonishes me more is to find that you can not read my letter No. 3, and the duplicate, of No. 2, when, upon examining my letter book, I find it is written in the very cipher which you acknowledge to have received, and in which your letter of the 20th of September is written; so that if it is not intelligible, it must have undergone some alteration since it left my hands, which I am the more inclined to think, because you speak of a cipher said to be enclosed of which my letters make no mention, and only notes a slight alteration in Mr. Thomson's cipher. My first letter was in our private cipher; this you had not received. My second, by the Marquis de la Fayette, in cipher, delivered to me by mistake by Mr. Thomson, and lost with Mr. Palfrey. My third, in the cipher sent by Major Franks, a duplicate of which was sent by Mr. Barclay; and that enclosed a copy of my letter No. 2. I had then discovered the mistake, so that I can in no way account for your being unable to decipher it.

Since my last, of the 28th of April, we have been informed of the change in the British administration. We have seen the act for enabling the king to make peace, and the new plan has begun to open itself here under the direction of Sir Guy Carleton. You, who know your countrymen, will feel little anxiety on this subject. It is proper, however, that you should be enabled to calm the apprehensions which those who know us less and are interested in our measures may entertain. I have the pleasure of assuring you that it has not produced the slightest alteration in our sentiments; that we view a change of men and measures with the utmost philosophic indifference. We believe that God has hardened the heart of Pharaoh, so that he can not let the people go till the first-born of his land are destroyed; till the hosts are overthrown in the midst of the sea; and till poverty and distress, like the vermin of Egypt, shall have covered the land. The general sentiment here seems to be that new endeavors will be so used to detach us from our ally; that the best answer to such attempts to disgrace us will be a speedy and spirited preparation for the ensuing campaign.

When Sir Guy Carleton arrived at New York he found them in violent convulsions about the demand that General Washington had made of the persons who perpetrated the murder upon an officer of the Jersey levies, one Captain Huddy, whom they made prisoner, carried to New York, and afterwards, taking him out of jail, hung him in the county of Monmouth. I enclose the General's letter, and the other letters that have passed on that occasion. The affair has not yet ended; the British officers insist upon his [*i. e.*, Lippincott, who hung Huddy] being given up. The refugees support him. A court-martial is now sitting for his trial. In the extracts sent out by General Robertson are contained the cases of all the fellows that have been tried and convicted of robbery, horse stealing, etc., in the Jerseys since the war, as they have

protected every species of villainy. They wish us to consider every felon we hang as a part of their regular corps.

Your last despatches by Colonel Livingston did not come to hand. The vessel in which he sailed was taken and carried into New York. He destroyed his letters. He was immediately committed to the provost, where he met with your brother, who had been some time confined there. On the arrival of General Carleton, which was a few days after, both were liberated on their *paroles*, so that Mr. Livingston can give us no intelligence of any kind. Carleton spoke to him in the most frank and unreserved manner; wished to see the war carried on, if it must be carried on, upon more generous principles than it has hitherto been; told him he meant to send his secretary to Congress with despatches, and asked whether the Colonel would take a seat in his carriage. Mr. Livingston told him that his secretary would certainly be stopped at the first post; upon which he expressed surprise, and inquired whether Mr. Livingston would himself be the bearer of them, which he declined, unless they contained an explicit acknowledgment of our independence and a resolution to withdraw the British troops. He replied he was not empowered to make any such proposition, and that his letter was merely complimentary. The next day he wrote to the General the letter, a copy of which [No. 1] is enclosed. The General sent the answer [No. 2]. These letters being laid before Congress, they came to the resolution [No. 3]. You will judge from these circumstances whether it is probable that Britain will easily seduce us into a violation of the faith we have pledged to our allies.

I am particular in giving you every information on this head, because I am persuaded that means will be used by our enemies to induce a belief that this country pines after peace and its ancient connexion with England. It is strictly true that they are very desirous of peace; but it is also true that the calamities of war press lighter upon them every day, from the use they are in to bear them and from the declining strength of the enemy. They consider themselves as bound, both in honor and interest, to support the alliance which they formed in the hour of distress; and I am satisfied that no man would be found in any public assembly in America sufficiently hardy to hint at a peace upon any terms which should destroy our connexion with France.

I yesterday took the sense of Congress upon the propriety of giving you leave of absence. They have declined giving any answer to that part of your letter, from which you are to conclude that they do not conceive it advisable at present. I enclose the resolution I proposed, which they thought it proper to postpone.

In all our transactions in Spain we are to consider the delicate situation in which they stand with France, the propensity of the former to peace, and the need that the latter has of their assistance. I should conceive it necessary, therefore, rather to submit with patience to their repeated delays than give a handle to the British party at court. For

this reason I conceive that no advantage could result from demanding a categorical answer, and that it might involve us in disagreeable circumstances. The resolution enclosed in my last will either serve as a stimulus to the politics of Spain or leave us a latitude on the negotiation for a peace, which will be of equal advantage to us with any of those slight aids which Spain seems willing or able to give us. Congress have found so little advantage from sending embassies to courts who have shown no disposition to aid them that they have passed the enclosed resolution [No. 4]. Every saving is an object of importance with them, and they feel very heavily the expense of their foreign embassies, which are in some particulars unnecessarily expensive.

The complaints which have justly been made of the mode in which our ministers are paid have induced Congress to direct the financier to fall upon some other mode. The one adopted will be very advantageous to our ministers. He proposes to make his payments here quarterly. I shall, as your agent, receive the amount and vest it in bills at the current rate and remit them to Dr. Franklin, and send you advice when I do it, or, when opportunity offers, send them directly to you. I shall follow your directions, if you have any other to give, with respect to the money due to you, and consider myself liable in my private capacity for all the money I receive on your account till you appoint another agent. This will simplify Mr. Morris' account, he only opening one with the Department of Foreign Affairs.

Your present account will commence the 1st of January. I wish you to transmit a state of your account prior to that and I will procure and remit you the balance.

We have nothing new but what you may collect from the papers enclosed. The Count de Montmorin will see with pleasure that the birth of a dauphin has been received here at this critical time in such a manner as to evidence our attachment to the king his father and the French nation.

I am embarrassed beyond expression at the misfortune that happened to Mr. Thomson's cipher. I shall enclose another with this, and send them both to Mr. Harrison, with special directions to send them safely to you.

It must have been long since you heard from me. Our ports have been totally shut up for some time, and no less than three vessels with despatches from me to you have been taken and carried into New York within two months.

As you seem to suppose my appointment has not been sufficiently notified to you to authorize your directing your letters to me, I enclose the resolution for my appointment, together with that for the organization of the office.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

[Franklin's letters to Fox, Shelburne, and Grenville, of May 10, 1782, are given *infra*, in Franklin's Journal, under date of July 1, 1782.]

Dumas to Livingston.\*

THE HAGUE, *May 10, 1782.*

SIR: Since my last of the 4th of April, I have not had a moment of leisure, by a succession of agreeable occupations, which have brought us rapidly to the result which I predicted to you.

The voice of the people has made itself heard from all parts. The Provinces having successively sent their resolutions here annexed to the Generality, the 19th of April was the great day when the unanimous resolution of their high mightinesses was adopted to admit Mr. Adams; and on the 20th, in the morning, he went to present his letters of credence to the president of the week. On Monday, at nine o'clock in the morning, I went *par etiquette* to the house of his excellency the French ambassador, to ask of him the hour when Mr. Adams should come and impart to him officially his admission, and in the meantime we were to leave our cards at the houses of all the members of the States-General. The visit to the ambassador was made in form, and publicly returned in the same way. That of the envoy of Spain not requiring the same ceremonial as the rank of the ambassador, we had given him notice on Sunday evening in a familiar visit, under a condition previously agreed, that he would return it in like manner the next day; and he kept his word. Monday, the 22d, I went to ask audience for Mr. Adams of his serene highness the stadtholder, who granted it immediately. We dined on Tuesday, the 23d, with the French ambassador, who had invited all the *corps diplomatique*, and they all attended. Wednesday morning we made the tour of the cities of Holland at their hotels with cards. We left also cards of notification at the hotels of the ministers of foreign neutral courts, who probably have written to their courts to know if they should return the visit. There has been no return of it but from the minister of Liege. The same morning I went to ask audience for Mr. Adams of her royal highness the Princess of Orange, which immediately took place.

Monday, 6th of May, Mr. Adams was present at a breakfast with M. Boreel, deputy of the States-General, where he had been invited with all the court and the *corps diplomatique*.

An address having been presented on Monday, the 22d, to Mr. Adams, by six deputies of the body of merchants of Schiedam, having at their head the secretary of the city, who invited him at the same time to a grand festival which they wished to give him, I had the happiness yesterday to excuse him from this festival without dissatisfying these gentlemen, as you will see by the copy of my verbal message to the secretary.

Add to all this, sir, the confusion of our removal into the hotel of the United States of America, which is not yet over and will not be

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\* 5 Sparks' Dip. Rev. Corr., 348.

for several weeks, and you may well have some indulgence for the imperfection of my present correspondence.

Sunday last after dinner at the request of the French ambassador and of our friends here and with the consent of Mr. Adams I made a journey by post to Amsterdam, charged with a secret commission relating to a concert of operations in this country which the Anglomanes appeared willing to trouble by some intrigue, and I returned the next day. All is now settled to the satisfaction of France and the Anglomanes are frustrated.

Day before yesterday we were again at a familiar and friendly dinner at the house of the French ambassador, with whom Mr. Adams was very much satisfied.

I give you, sir, only a sort of index very imperfect of the principal events which have passed here lately. I leave to Mr. Adams, who presented on Monday, the 22d of April, the sketch of a treaty of amity and commerce to their high mightinesses, to enlarge. I write from memory, not having been able to keep a journal, still less one of my going and coming, my secret interviews, conferences, and negociations, which were necessary to prepare and bring about what has been done, and which ought not yet to be trusted to paper. No one has better characterized the truly national revolution which has taken place here than the French ambassador in saying that the Dutch nation had avenged itself, with the greatest success, of all the political and other evils which the English have done them since Cromwell; and the envoy of Spain, who said to Mr. Adams that he had struck the greatest blow which had been given in Europe for a long time.

I conclude by recommending, sir, to your attention and to that of Congress the copy of a letter which Mr. Adams wrote me from Amsterdam the 2d of this month. I have not had a moment of leisure to write the present despatch sooner; nor by consequence to make a prompt use of this letter according to the intention of Mr. Adams, and which, nevertheless, interests the United States as much as myself. It surprised and affected me very agreeably, and it was no doubt his intention so to surprise. You know, sir, or you may know, by the papers of your department since the end of 1775, the intimate part I have had in political affairs without interruption, in executing faithfully the orders of Congress, unsolicited, but accepted on my part with an ardor which, I am bold to say, has never changed, and which has drawn upon me personally all the enemies, open and concealed, of America, and has cost me and my family great persecutions, mortifications, losses, and sacrifices. I should fear, therefore, to weaken the letter, so energetic and so honorable to me, of Mr. Adams (who told me by word of mouth, a few days since, that he was surprised Congress had not before made such a disposition on the subject of my affairs), if I should add anything more, except that I have never had any other principle in my actions, especially in these six or seven years of faithful and painful labor, than

the service of humanity, of the United States, and of their honorable Congress; and if, in my last sigh, I could add to this testimony of my conscience the idea of having retained the esteem and friendship of all your respectable ministers, both in Europe and America, and especially yours, sir, which will be very dear to me, and which I pray you to bestow on me, I shall contentedly close my days with the words of Horace in my mouth, *Non ultima laus est principibus placuisse viris*.

I am, with the most sincere respect,

DUMAS.

MAY 12.

P. S.—There arrived here yesterday a second proposition of Fox for peace with this republic. It will be presented to-morrow to the States-General—a new snare, which is happily foreseen and escaped. I shall speak of it in my next.

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Morris to the President of Congress.\*

OFFICE OF FINANCE, May 10, 1782.

SIR: In consequence of the act of Congress of the 4th instant, I do myself the honor to enclose a state of the American commerce, with a plan for protecting it. I shall, in obedience to the orders of Congress, transmit a copy of this paper to the commander of his most Christian majesty's fleet in the West Indies, and make the application which I am directed to him and to the commander of the fleet of Spain. I take the liberty to suggest to the consideration of Congress whether any application on this subject to the court of France would not go with propriety through the office of foreign affairs.

With perfect respect, I have the honor to be, &c.,

ROBERT MORRIS.†

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 462.

† MAY 13.

This day the Chevalier de la Luzerne had a public audience of Congress, when he announced the birth of the dauphin of France. I attended at the ceremony, being admitted into the Congress hall within the bar, and I took my place next to the members of Congress, the left of the President, the minister of Foreign Affairs, and the minister of War next to me. We stood during the whole ceremony, as well also the president and council of the State of Pennsylvania. When the ceremony was ended Mr. Livingston, General Lincoln, Mr. Gouverneur Morris, and myself went to his excellency the minister of France to pay our compliments. Afterwards we repaired to the city tavern to an entertainment ordered by Congress, thence to an exhibition of fireworks at the State House, and then to an entertainment given by the Secretary of Foreign Affairs.—*Diary*.



Livingston to Dana.\*

PHILADELPHIA, *May* 10, 1782.

DEAR SIR: In my letter of the 2d of March last I explained fully to you the intentions of Congress in sending you to Petersburg, and the reasons that influenced them to wish that you would by no means display your public character till you were fully convinced that it was the wish of the court to acknowledge it. And I saw with pleasure, in your letter of the 31st of March, 1781, to the Count de Vergennes, that you had determined, agreeably to the spirit and meaning of your instructions, to appear only as a private citizen of the United States until the result of your inquiries should point out a ready and honorable reception. The opinion of the minister of his most Christian majesty, as well as of Dr. Franklin, whom you were directed to consult, was so decided upon that point, that though you might not have thought it sufficient to justify delaying your journey, yet it certainly rendered it proper to take the best precautions to conceal your public character under some other that would have been unsuspected; and this for reasons that carried the greatest weight with them.

The empress having projected the armed neutrality, she naturally wished it to have the appearance of a general regulation, and not of an attempt to serve one of the belligerent powers at the expense of the other. The strictest impartiality could alone give a dignity to her measures or crown them with success. She further wished to be the means of re establishing peace, and was perhaps influenced by the laudable ambition of being at the same time the great legislator and arbiter of Europe. At this critical moment it could hardly be expected that she would publicly entertain a minister from the United States. For though the powers at war have many collateral objects, yet it is well known that American independence is the great question in controversy; and though a decision in favor of it might be worthy of the magnanimity of the empress, yet it would certainly militate against her objects, and afford Great Britain an apology for considering the armed neutrality as a partial regulation, and for rejecting the mediation of a power whom they would charge with having decided the very point in controversy. A secret agent, if his character was declared to the Russian minister, would in a less degree have the same effects, and reduce them to the necessity of embarrassing themselves by dissimulation, or permitting us to entertain unfavorable sentiments of their impartiality by directing you to withdraw.

Your eager desire to render essential service to your country had in some measure biased your judgment, and led you to see this matter in a different light from that in which it would have appeared to you if your patriotism had permitted you coolly to weigh and consider circumstances. It appears by your letters of the 28th of July, the 15th

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 620, with verbal changes.

of September, and 15th of October last, which have been received and read in Congress, that you entertain serious thoughts of making an immediate display of your powers to the Russian ministry, notwithstanding the cautions given you by the Count de Vergennes, the opinion of Dr. Franklin, and the advice of the Marquis de Verac, whom you are expressly directed to consult; whose lights you are instructed to avail yourself of, and to sound the dispositions of the court of Petersburg.

Congress, when they appointed you to the important and delicate mission in which you are engaged, discovered their respect for your abilities, while they meant by their instructions to guard against any inconvenience into which you might hastily run, by directing you, before you declared your character, to take the advice of a minister whose residence at the court of Petersburg (independent of other circumstances) gave him advantages which an absolute stranger could not enjoy. The letters that have passed between you confirm the propriety of this restriction. The conclusions of the Marquis de Verac on the plan of the proposed mediation are sound and just; and if you have disregarded them, there is no doubt but the event has before this time justified them to you. He has probably shown you the answer of France to the proposals of the mediators. You will have remarked therein the same reasoning extended in such a manner as fully to have convinced you that the distinction he has drawn between our treating *at the same time* and our treating as an independent nation are very well founded. It will serve, too, sir, to show that your suspicions on another point are groundless. To suppose that France would go to war for our independence, and yet not wish to see that independence recognized is a solecism in politics. Surely every acknowledgment of this kind raises our hopes and depresses those of the enemy, and places the justice of the war, both on the part of France and of us, in a fairer point of view. But, sir, I do not enlarge on this subject; your instructions ought to be your guide, and they evidently show that, at the time they were given, Congress meant that you should treat the minister of France at the court of Petersburg with the most unreserved confidence, and that you should not declare your mission till he thought the moment favorable. They still retain the same sentiments, every day having convinced them that France makes but one interest with them in establishing their independence. That she should be delicate about advising us to solicit the notice of other courts is not to be wondered at, since she must partake, in some degree, of the humiliations that our ill-timed solicitations subject us to. The whole of your communications with the Count de Vergennes marks a delicacy on the other side about advising upon a measure which the instructions of your sovereign should direct. It is easy to see his opinion and his apprehensions of appearing to have disapproved what Congress had thought might be advantageous to them. I conclude this, sir, by requesting you, if you have not yet made a communication of your powers, to delay doing it till

the Marquis de Verac shall agree in sentiment with you that it will be expedient or until you shall receive further instructions from Congress.

In the mean while you will employ yourself in the manner which your instruction and my last letter advise. I can see no other line in which you can be useful in your present station. As you will have much leisure on hand, I must beg you to write weekly to this office in cipher, and to write with freedom whatever it may be useful for us to know, particularly all changes that may take place in the administration and the measures of Russia. I will not repeat what I have said on this subject in my last, a quadruplicate of which is enclosed, as is also a cipher. This letter will be consigned to Mr. Adams, who will take means to forward it to you by a safe hand.

I am in great pain on account of your letter of the 28th of July, a duplicate of which is arrived. The original has miscarried; should it have fallen into improper hands it may do us very essential injury. I need not tell you how impatient I shall be to hear that this has reached you, since I can not use my cipher till I receive a line from you written in it, nor can I write with freedom to you till I have a cipher.

Since the reduction of York nothing important has passed in the military line. The enemy keep possession of New York, Charleston, and Savannah, though they have not strengthened either of the garrisons. They are consequently much weakened; if, as we expect, we shall have a naval support, we have no doubt of being able to expel them from the continent. Our effective force, exclusive of militia, which we can call in as we want them, including four thousand five hundred French troops, amounts to about twenty thousand men.

They are hardy veterans, well disciplined, well armed, well clad, and well fed. Our finances have assumed a new form, and are every day becoming more respectable by the total abolition of paper, except that of the bank, payable in specie at sight. You have, doubtless, heard of the late change in the British administration, Sir Guy Carleton has come out in the place of Sir Henry Clinton, and we have reason to believe that the present system is to endeavor, by lenient measures, to seduce us from our alliance with France, and to cajole us out of that freedom which they find they can not force us to relinquish. It is astonishing to see the contempt with which these attempts are received. The only effect they have is to convince us of the declining strength of the enemy, and to excite a general determination to push them with vigor before they recover their late blow. I enclose the last resolution of Congress organizing this office, that you may, by seeing my powers, know what attention you are to pay to my letters, which will consist of two sorts: The one written by me without consulting Congress, in which, however, I shall always govern myself by what I suppose to be their sentiments; the other written and submitted to their inspection, so that you may have the highest evidence of its corresponding with their views. When this is the case I shall always inform you of it.

This letter has been read in Congress and, of course, contains no instructions which they disapprove. I shall send you a packet of newspapers with this.

I should have told you that your salary will in future be paid here. I shall receive it as your agent, and vest it in bills on Doctor Franklin, and remit them to him, so that you may draw upon him quarterly. I shall send him one quarter's salary by this conveyance, commencing the 1st of January last and ending the 1st of April last; and considering myself as the agent of all our foreign ministers, I shall follow your directions relative to the disposition of your appointment until you shall think it expedient to name another.

Your most obedient, humble servant,

ROBERT R. LIVINGSTON.\*

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Livingston to Luzerne.†

OFFICE OF FOREIGN AFFAIRS, *May 12, 1782.*

SIR: The undersigned, Secretary of the United States of America for the Department of Foreign Affairs, has the honor to notify to the minister plenipotentiary of his most Christian majesty, that Congress has determined, by a resolution of the 20th of July, 1778, that the style of address to them should be in future, "Gentlemen of the Congress."

The undersigned hopes that the minister plenipotentiary of France will be pleased to make use of this form in the address which he proposes to make to Congress to-morrow, as well as on every future occasion.

ROBERT R. LIVINGSTON.

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\* In the Nation of June 11, 1868, is an article by Mr. Eugene Schuyler, in which are given some curious extracts of Russian state papers of 1782, showing the animosity with which the empress regarded the American Revolution, and the hopelessness of Dana's mission until England should lead the way. Thus, when a portrait of Washington was sent to Dana in the Dutch despatch box by Gallitzen, Osterman, Russian foreign minister, directed its return in the following letter (May, 1782):

"With your despatches came a portrait of Washington to be delivered to one Dana (sic), an American gentleman here. But as this man is not known to her Imperial majesty or her ministry, you are commanded by her majesty to return it to the source from which it reached this country, together with the documents accompanying it. Her majesty wishes your excellency, as well as Mr. Morkof, in future not to receive from or for Americans any letter or anything else to be despatched by the couriers; for besides the reason given in my letter of the 10th May, it is not pleasant to deliver them *to people with regard to whom her majesty's ministry does not know who they are nor why they are here.*"

Yet at this time Dana had been in Russia, and had been blaming the French minister for telling him that the time had not yet come for him to press for an audience.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 64.

Adams to Dana.\*

THE HAGUE, HÔTEL DES ETATS UNIS,

May 13, 1782.

MY DEAR FRIEND: Yours of April 12 [23] is just come to hand. Last night, for the first time, I slept in this house, and I hope that the air of The Hague will have a good effect upon my health, otherwise I must embark for the blue hills.

The Independence of America has been acknowledged by this republic with a solemnity and unanimity which has made it, in a peculiar sense, the national act. The publication of the memorial of the 19th April, 1781, set all the writers of gazettes and pamphlets at work to propagate and illustrate the hints thrown out by it, so that in the course of a year's time the people were universally convinced, and their zeal was animated to such a degree that when the plot came to its unravelling, they threw out testimonies and arguments in their *requêtes*, which must do great service to the American cause. The enemy have perceived this, and have done all they could to prevent an extensive publication of them. Pray let me know what gazettes or periodical papers are published with you, and in what languages, and whether there is any indulgence to the press with you.

I have laid before their high mightinesses a plan of a treaty which I hear no objection to, and am told by the grand pensionary will be settled in about three weeks. The other matter is not yet stirred. I shall wait for the advice of allies in this case, although I ventured to go against it in the former. Once in my life the words *piddling*, &c., cost me very dear, but I shall never get them out of my head. I shall be plagued with piddling politicians as long as I live; at least, until I retire from the political career to the blue hills. There are at this moment so many politicians piddling about peace, general and separate, that I am sick to death of it. Why is there not one soul in Europe capable of seeing the plainest thing in the world? Any one of the neutral powers saying to the rest, "America is one of us, and we will all share in her commerce. Let us all as one declare it." These words once pronounced, peace is made, or at least soon and easily made. Without it, all may nibble and piddle and dribble and fribble, waste a long time, immense treasures, and much human blood, and they must come to it at last.

The new British ministers blunder at first setting out. They had but one system to choose which could succeed, and that they have missed.

They must come to it finally; but it will be after an opposition is formed and cemented, which will give them much trouble, and make them unpopular.

No news from America for a long time, except of the safe arrival of my dear Charles.

Yours, &c.,

JOHN ADAMS.

## Livingston to the President of Congress.\*

PHILADELPHIA, *May* 13, 1782.

SIR: The late change in the measures and in the administration of Great Britain and the arts that are daily practised to infuse a belief in Europe that the most perfect harmony does not subsist between the United States and their ally induce me to wish that Congress would embrace the opportunity which this day's audience affords to declare their attachment to the alliance in such terms as will serve fully to defeat every expectation of sowing the seeds of division between the United States and France.

For which purpose I humbly submit the following addition to the answer proposed to be given to the address of the minister plenipotentiary of France.

I have the honor to be, with the greatest respect,

ROBERT R. LIVINGSTON.

## Livingston to the President of Congress.†

OFFICE OF FOREIGN AFFAIRS,  
*May* 13, 1782.

The following addition to the answer to the address proposed to be made by the minister of France is humbly submitted to the approbation of Congress by the Secretary of Foreign Affairs.

ROBERT R. LIVINGSTON.

A union, the mutual advantages of which become daily more conspicuous, and which has derived new lustre and additional force from every effort of the common enemy to dissolve it; Congress do not enlarge upon the subject, but satisfy themselves with the representations which your own observations will enable and your regard to the interests of both countries will induce you to make of the affectionate attachment which every rank of people within these United States manifest to your sovereign and of their inviolable fidelity to the principles of the alliance.

## Livingston to Washington and Greene.\*

PHILADELPHIA, *May* 13, 1782.

SIR: I have to inform you that the minister plenipotentiary of France this day announces to the United States in Congress assembled, at a public audience, the birth of a dauphin, and that Congress received this annunciation of an event, in which the happiness of their ally was so deeply engaged, with the most lively marks of satisfaction. It is their wish that your excellency and the troops under your command

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 182.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 183.



should partake in this pleasure. I have their orders to inform you of this event, to the end that you may cause the same to be published in the army, with such demonstrations of joy as you shall direct.\*

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

[Franklin's letter to Hartley of May 13, 1782, and Hartley's letter to Franklin of the same date, are given *infra*, in Franklin's Journal, under date of July 1, 1782.]

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Jay to Livingston.†

MADRID, May 14, 1782.

DEAR SIR: A letter from Dr. Franklin calls me to Paris. I set off in about five days. He has doubtless written to you on the subject. Major Franks is on the way to you with despatches from me. Be pleased to send your future letters for me under cover to Dr. Franklin. No inconveniences will be caused by my absence. The instructions intended for M. del Campo are to be sent to the Count d'Aranda. I congratulate you on the recognition of our independence by the Dutch. The French have lost a ship of the line, and they say thirteen transports bound to the Indies.

I hope my future letters will be less unfortunate than many of my former ones. Rely upon it, that I shall continue to write particularly and frequently to you.

With great regard and esteem, &c.,

JOHN JAY.

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Madison to Edmund Randolph.‡

PHILADELPHIA, May 14, 1782.

DEAR SIR: The *Ceres* man-of-war, we are informed by a New York paper, arrived there in twenty-five days on the fifth instant, having on board his excellency Sir Guy Carleton, commander-in-chief, &c., and *commissioned for making peace or war* in North America. The intelligence brought by this conveyance is, that the vibrations of power between the ministry and their rivals had terminated in the complete dissolution of the former and organization of the latter. What change of measures will follow this change of men is yet concealed from us. The bill for empowering the king to conclude a peace or truce with the revolted Colonies in North America had been brought into Parliament on the

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\* The same intelligence was communicated in the same formal way to the governors of the States.—SPARKS.

† MSS. Dep. of State; 4 Spark's Dip. Rev. Corr., 449.

‡ 1 Madison Papers, 127.

twenty-seventh of March. The language of it is at the same time cautious and comprehensive, and seems to make eventual provision for our independence, without betraying any purpose of acknowledging it. The terms peace and truce are scarcely applicable to any other conventions than national ones. And the king is authorized to annul or suspend all acts of Parliament whatever as far as they speak of the Colonies. He can therefore clearly remove any parliamentary bar to his recognition of our independence, and I know of no other bar to his treating with America on that ground. All this is, however, very different from a real peace. The king will assuredly prefer war as long as his ministry will stand by him, and the sentiments of his present ministry, particularly of Shelburne, are as peremptory against the dismemberment of the empire as those of any of their predecessors. They will at least try a campaign of negotiation against the United States and of war against their other enemies before they submit to it. It is probable that the arrival of Sir Guy Carleton will not long precede an opening of the first campaign. Congress will, I am persuaded, give a proper verbal answer to any overtures with which he may insult them; but the best answer will come from the States in such supplies of men and money as will expel him and all our other enemies from the United States.

We have at length brought our territorial business to an issue. It was postponed *sine die* on the sixth instant. We have transmitted the whole proceeding to the governor, to be laid before the assembly.

There are various accounts from the West Indies, which render it pretty certain that an engagement has taken place between the two fleets. The circumstances are not ascertained. The issue seems at least to have been so far in favor of our allies as to leave them free to pursue their course with their convoy to Hispaniola, where a junction is to be made with the Spaniards. The object of this junction is universally supposed to be Jamaica.

Since I finished the above a letter has come to Congress from General Washington, enclosing one to him from Sir Guy Carleton, announcing his commission, in conjunction with Admiral Digby, to treat of peace with this country, and requesting a passport for his secretary, Mr. Morgan, to bring a similar *letter of compliment* to Congress. The request will certainly be refused, and General Washington probably directed to receive and forward any despatches which may be properly addressed to Congress.

A public audience was yesterday given to the minister of France, in which he formally announced the birth of the dauphin. It was deemed politic at this crisis to display every proper evidence of affectionate attachment to our ally. The minister was accordingly received with military honors, and the audience concluded with the discharge of cannon and a *feu de joi* of small arms. A public entertainment followed, and fireworks at night closed the scene.

The answer reported by the committee on Mr. Dana's letter gave him

a cautionary instruction. It afterwards went to the Secretary of Foreign Affairs, and thence, I suppose, in his dress to Petersburg. Mr. Jones will give you more satisfactory information on this, as also with respect to the answer to Mr. Jay's letter.

Your surmises relative to a revival of paper currency alarms me. It is impossible that any evil can render such an alternative eligible. It will revive the hopes of the enemy, increase the internal debility of the State, and awaken the clamors of all ranks throughout the United States against her. Much more to Virginia's honor would it be to rescind the taxes, although the consequence of that can but be of a most serious nature.

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Livingston to the President of Congress.\*

PHILADELPHIA, *May* 15, 1782.

SIR: In order to have the sense of Congress upon Mr. Jay's request, contained in his letter of the 6th of February last, I do myself the honor to submit the enclosed resolve; for though I do not see any advantage which would at present result from his leaving Madrid, yet as cases may arise which would render it proper, it may safely be left to his discretion.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS,  
*May* 15, 1782.

The following resolution is humbly submitted to the consideration of the United States in Congress by the Secretary of Foreign Affairs.

ROBERT R. LIVINGSTON.

It having been represented to the United States in Congress that certain circumstances might render it expedient to permit Mr. Jay to leave the court of Madrid and repair either to the United Provinces or to Versailles,

*Resolved*, That such permission be granted him, provided he shall conceive that such absence would be attended with important advantages to the United States and that it does not exceed three months.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 183,

[Franklin's letter of May 16, 1782, to Shelburne is given *infra* in Franklin's Journal, under date of July 1, 1782.]

J. Adams to Livingston.\*

THE HAGUE, May 16, 1782.

SIR: On the 12th of this month I removed into the *Hôtel des États-Unis de l'Amérique*, situated upon the canal called the Fleweele Burgwal, at The Hague, where I hope the air will relieve my health in some degree from that weak state to which the tainted atmosphere of Amsterdam has reduced it.

The American cause has gained a signal triumph in this country. It has not persuaded an ancient rival and an avowed natural hereditary enemy to take a part against Great Britain, but it has torn from her bosom an intimate affectionate friend, and a faithful ally of a hundred years' continuance. It has not persuaded an absolute monarchy to follow the dictates of its own glory and interest and the unanimous wish of the people by favoring it; but availing itself only of the still, small voice of reason, urging general motives and national interests, without money, without intrigue, without imposing pomp or more imposing fame, it has prevailed against the utmost efforts of intrigue and corruption, against the almost universal inclination of persons in government, against a formidable band of capitalists and the most powerful mercantile houses in the republic interested in English funds and too deeply leagued in English affairs.

Although these obstacles are overcome so far as to have obtained an acknowledgment of our independence, yet it is easy to see that they are not annihilated, and, therefore, we can not expect to receive such cordial and zealous assistance as we might receive if the government and the people had but one heart.

I wish it were in my power to give Congress, upon this occasion, assurances of a loan of money, but I can not. I have taken every measure in my power to accomplish it, but I have met with so many difficulties that I almost despair of obtaining anything. I have found the avidity of friends as great an obstacle as the ill will of enemies. I can represent my situation in this affair of a loan by no other figure than that of a man in the midst of the ocean negotiating for his life among a school of sharks. I am sorry to use expressions which must appear severe to you, but the truth demands them.

The title of American banker, for the sake of the distinction of it, the profit of it, and the introduction to American trade, is solicited with an eagerness passed description. In order to obtain it a house will give out great words and boast of what it can do, but no one will contract to furnish any considerable sum of money, and I certainly know, let them deceive themselves as they will and deceive as many others as they

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 609, with verbal changes; 7 J. Adams' Works, 589.

~~may~~ their confident affirmations, that none of them can obtain any considerable sum. The factions that are raised here about it between the French interest, the republican interest, the stadtholderian interests, and the Anglomane interest, have been conducted with an indecent ardor, thwarting, contradicting, calumniating each other, until it is easy to foresee the effect will be to prevent us from obtaining even the small sums that otherwise might have been found. But the true and decisive secret is there is very little money to be had. The profits of their trade have been annihilated by the English for several years. There is, therefore, no money but the interest of their capitalists, and all this is promised for months and years beforehand to bookkeepers, brokers, and undertakers, who have in hand loans open for France, Spain, England, Russia, Sweden, Denmark, for the States General, the states of Holland, the states of Friesland, the East and West India Companies, etc.

But the circumstance which will be fatal to my hopes at this time is this: There is just now unexpectedly open a loan of nine millions for the India Company, under the warranty of the states, in which they have raised the interest one per cent. above the ordinary rate. I had obtained an agreement of the undertakers for two millions, but before it was completed this loan appeared, which frightened the undertakers so as to induce them to fly off. I must, therefore, entreat Congress to make no dependence upon me for money.

There is one subject more upon which I beg leave to submit a few hints to Congress. It is that of M. Dumas, whose character is so well known to Congress that I need say nothing of it. He is a man of letters, and of good character, but he is not rich, and his allowance is too small at present for him to live with decency. He has been so long known here to have been in American affairs, although in no public character that I know of but that of an agent or correspondent appointed by Dr. Franklin, or perhaps by a committee of Congress, that, now our character is acknowledged, it will have an ill effect if M. Dumas remains in the situation he has been in. To prevent it in some measure I have taken him and his family into this house; but I think it is the interest and duty of America to send him a commission as secretary to this legation and chargé des affaires, with a salary of five hundred a year sterling, while a minister is here, and at the rate of a thousand a year while there is none.

There is another gentleman whose indefatigable application to the affairs of the United States, and whose faithful friendship to me in sickness and in health, demand of me by the strongest claims of justice and of gratitude that I should mention him to Congress and recommend him to their favor. This gentleman is Mr. Thaxter, whose merit, in my opinion, is greater than I dare express.

Edmund Jennings, esq., of Brussels, has honored me with his correspondence, and been often serviceable to the United States, as well as

friendly to me. His manners and disposition are very amiable ~~and~~ his talents equal to any service, and I can not but wish that it might be agreeable to the views of Congress to give him some mark of their esteem.

How shall I mention another gentleman whose name, perhaps, Congress never heard, but who, in my opinion, has done more decided and essential service to the American cause and reputation within these last eighteen months than any other man in Europe? It is M. A. M. Cerisier, beyond all contradiction one of the greatest historians and political writers in Europe, author of the *Tableau de l'Histoire des Provinces Unies des Pays Bas*, of the *Politique Hollandois*, and many other writings in high esteem. By birth a Frenchman, educated in the University of Paris, but possessed of the most genuine principles and sentiments of liberty, and exceedingly devoted by principle and affection to the American cause. Having read some of his writings and heard much of his fame, I sought and obtained an acquaintance with him, and have furnished him with intelligence and information in American affairs, and have introduced him to the acquaintance of all the Americans who have come to this country, from whom he has picked up a great deal of true information about our affairs, and, perhaps, some mistakes. His pen has erected a monument to the American cause more glorious and more durable than brass or marble. His writings have been read like oracles, and his sentiments weekly echoed and reëchoed in gazettes and pamphlets, both in French and Dutch, for fifteen months. The greatest fault I know in him is his too zealous friendship for me, which has led him to flatter me with expressions which will do him no honor, however sincerely and disinterestedly they might flow from his heart.

Congress must be very sensible that I have had no money to lay out in secret services, to pay pensions, to put into the hands of Continental agents, or in any other way to make friends. I have had no money but my salary, and that has been never paid me without grudging. If I have friends in Europe, they have not most certainly been made by power, nor money, nor any species of corruption, nor have they been made by making promises, or holding out alluring hopes. I have made no promises, nor am I under any obligation but that of private friendship and simple civility to any man, having mentioned such as have been my friends because they have been friends to the United States, and I have no other, in Europe at least, and recommended them to the attention of Congress, as having rendered important services to our country, and able to render still greater. I have done my duty, whatever effect it may have. If some small part of those many millions which have been wasted by the most worthless of men could have been applied to the support and encouragement of men of such great value, it would have been much better. It is high time, it is more than time, that a proper discernment of spirits and distinction of characters were made; that virtue should be more clearly distinguished from vice, wis-



dom from folly, ability from imbecility, and real merit from proud imposing impudence, which, while it pretends to do everything, does nothing but mischief.

The treaty of commerce is under consideration, and will not, that I foresee, meet with any obstacle.

I have the honor to be, &c.,

JOHN ADAMS.

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Morris to the Governors of the States.\*

OFFICE OF FINANCE, *May* 16, 1782.

SIR: I have heretofore taken occasion to observe that the former expenditures of the United States were at a medium rate of twenty million dollars annually for the support of the war. In the present moment, while laboring under a large debt, only eight millions have been asked for. It is evident, therefore, that the sum now required is as little as can possibly answer the purpose. I venture to say that it is not enough. According to the estimates for the year 1782, which were laid before Congress by the late board of war, the present establishment of the army would require for pay, exclusive of the half pay, near three millions and a half, for rations near two millions and a half, for clothing about twelve hundred thousand, for the Quartermaster's Department (exclusive of the articles on hand) above eight hundred thousand, for forage above three hundred thousand, for military stores (exclusive of articles on hand) near two hundred thousand, and for the hospitals (exclusive of medicine and also of sundry stores on hand) above one hundred thousand.

If to these be added the sum of four hundred thousand for the departments of the pay office, commissary of prisoners, and the various other contingencies of service, which naturally and necessarily arise, without mentioning the losses which happen in war, here will be an aggregate amount of nine millions, and in this sum nothing is estimated for the interest of our debts, for the marine, for the civil list, and the department of foreign affairs.

Of the various expenditures much was to be provided immediately. The heavy article of clothing, for instance, was indispensable. Many things were to be provided early, in order that the army might operate, and the subsistence is to be paid regularly and constantly. Yet the States have not been asked for any money before the 1st day of April; and I appeal to them all, whether the supplies of money they have afforded me for the last year were such as would enable me to provide for the present.

A three months' expenditure was permitted by Congress to elapse

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 463, with verbal changes and omissions.

before the first payment of two millions was asked for from the States ; but what have they done ? While I write this letter near two months more are gone forever, and a dishonorable neglect endangers our country. Little local objects have postponed those measures which are essential to our existence, so that the most fatal consequences are now suspended but by a thread. Should they fall on our heads, this solemn protest shall point to the real cause of our calamities. I write thus, sir, to apprise you of the public danger, and to tell you I shall endeavor to fulfil engagements which I have already made, that I may quit my station like an honest man. But I will make no new engagements, so that the public service must necessarily stand still. What the consequence may be I know not, but the fault is in the States. They have not complied with the requisitions of Congress. They have not enabled me to go on. They have not given me one shilling for the service of the year 1782, excepting only the State of New Jersey, from which I received five thousand five hundred dollars a few days ago, and this is all that has come to my hands out of two millions which were asked for.

Now, sir, should the army disband, and should scenes of distress and horror be reiterated and accumulated, I again repeat that I am guiltless ; the fault is in the States ; they have been deaf to the calls of Congress, to the clamors of the public creditors, to the just demands of a suffering army, and even to the reproaches of the enemy, who scoffingly declare that the American army is fed, paid, and clothed by France. That assertion, so dishonorable to America, was true ; but the kindness of France has it bounds, and our army, unfed, unpaid, and unclothed, will have to subsist itself, or disband itself.

This language may appear extraordinary ; but at a future day, when my transactions are laid bare to public view, it will be justified. This language may not consist with the ideas of dignity which some men entertain. But, sir, dignity is in duty and in virtue, not in the sound of swelling expressions. I have early declared our situation, as far as prudence would permit, and I am now compelled to transgress the bounds of prudence by being forced to declare, that unless vigorous exertions are made to put money into the treasury we must be ruined. I have borne with delays and disappointments as long as I could, and nothing but hard necessity would have wrung from me the sentiments which I have now expressed.

Congress may dismiss their servants, and the States may dismiss their Congress, but it is by rectitude alone that man can be respectable.

I have the honor to be, &c.,

ROBERT MORRIS.

Morris to Grand.\*

OFFICE OF FINANCE, *May 17, 1782.*

**SIR :** In my letters of the 28th of March and 8th of April I informed you of my drafts on you to the amount of five hundred thousand livres. I have since that time drawn sundry other bills, all of which you have been duly advised of, or will be so by this conveyance.

I am now to inform you that his excellency the minister of France has given me assurances on the part of his court that five hundred thousand livres per month during the year 1782 will be paid on my drafts, making in the whole six millions. He has also suggested to me the expedient of drawing twelve sets of exchange on Dr. Franklin, our minister plenipotentiary, in favor of my banker, so that the money may be in his hands monthly at my order. In consequence thereof, I now enclose to you twelve bills of exchange on Dr. Franklin, all at thirty days' sight, and each for half a million. When these bills arrive you will present so many of them for acceptance as that, at the end of the thirty days, the amount shall be equal to the monthly payments above-mentioned. As, for instance, if these bills should arrive in July, you will present seven of them for acceptance, because by the time that the thirty days have elapsed there will be due so many of those monthly payments. But in this, as well as in other matters of arrangement with the court, you will take the advice of Dr. Franklin, and govern yourself accordingly.

The several bills which I draw on you I will regularly inform you of. After the first month has elapsed you will present another bill for acceptance, and so on monthly, presenting each month a bill. I write also by this conveyance to Dr. Franklin to pay on my account all the moneys belonging to the United States in Europe which may be in his possession.

I wrote to Dr. Franklin, on the 17th of April, to inform you that I should draw on Messrs. Fizeau, Grand & Co., at Amsterdam, and on Messrs. Harrison & Co., at Cadiz, desiring that you would direct those houses to honor my bills, and take their reimbursement on you, which I now confirm. I expect that the five hundred thousand livres which are mentioned in my letters of the 28th of March and 8th of April will be paid out of moneys which were already in Europe; and, indeed, that still further sums were there belonging to the United States, besides the monthly payments to be made by the court as above mentioned. At any rate, you will be in cash to pay all the bills which I have drawn or shall draw. You will take care to transmit me a state of your accounts by every opportunity, that I may be thereby directed in my operations.

I have the honor to be, &c.

ROBERT MORRIS.

Morris to the President of Congress.\*

OFFICE OF FINANCE, *May 17, 1782.*

SIR: I do myself the honor to enclose to your excellency the copy of a circular letter which I have written to the several States. The situation in which I find myself is extremely delicate. The habitual inattention of the States has reduced us to the brink of ruin, and I cannot see a probability of relief from any of them. I rather perceive a disposition to take money from the public treasury than to place any in it. A variety of causes, which Congress are, I presume, acquainted with, prevents the collection of taxes and delays the payment of them even after they are collected. In many States they are not laid. I must not conceal from Congress my apprehensions that the idle hopes entertained from the late changes of administration in Britain will increase that negligence, which is but too prevalent throughout the United States.

I might add many reasons why a call should be made in the present critical moment, and it is evident that such a call should be couched in terms so pressing as to stimulate, if possible, their sluggishness into exertion. But, on the other hand, it is evident that if a faithful representation of our distressed circumstances should fall into improper hands it would be productive of the most dangerous consequences. And when the number of our internal enemies and the designs of our external enemies are considered, there can be little doubt that such a letter would be handed about soon after its arrival for the illicit purposes of both. At the same time, however, it must be considered that if any fatal consequences should ensue from the continued negligence of the States, attempts will be made to justify it on the principle that they were not seasonably apprized of their danger.

I am sure I need not take up more of your time, sir, in showing the difficulties with which, on the present occasion, I am surrounded. Urged by them, I must entreat the opinion of Congress whether the letter in question be retained or transmitted. I take the liberty farther to remark, sir, that the declaration contained in it, purporting my intention not to make new engagements, is short of what I am under the necessity of doing; for the public departments are now absolutely at a stand from the want of money, and thereby many things already commenced must be desisted from. This cannot be wondered at when it is considered that near five months of the present year have elapsed without my having received any thing on account of its expenditures, except the trifling sum of five thousand five hundred dollars mentioned in the enclosed letter, and that sum, calculating our expenses at eight millions annually, is about *one-fourth of what is necessary to support us for a single day.*

I have the honor to be, &c.,

ROBERT MORRIS.†

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 468.

† MAY 20.

This evening I met Mr. Madison, Governor Rutledge, Mr. Clymer, Mr. Lovell, and Mr. Root, the committee of Congress appointed to confer with me on the subject of

Morris to Franklin.\*

OFFICE OF FINANCE, *May 17, 1782.*

SIR: In a letter which I had the honor to write to your excellency on the 17th of last month, I mentioned the communications of the minister of France here, by which I was empowered to draw to the amount of six millions in mouthly installments of half a million each. He has since informed me that no moneys will be paid by his court except on my draft. It is in consequence of this, that I have drawn the bills contained in the enclosed letter to Mr. Grand which is left open for your perusal. Your excellency will be pleased to arrange this matter with Mr. Grand, so as best to answer the purposes intended. You will also be pleased, sir, to pay over to Mr. Grand on my account such moneys belonging to the United States as may be in Europe distinct from those to be advanced by the court for the current year.

I am extremely desirous of having a state of these matters, so as to know what dependence can be made on the funds which are at our command. You would, therefore, confer upon me a very particular obligation by transmitting the best statement in your power. I mentioned to your excellency in a former letter that I would write to you on the subject of your salary more particularly than I then did, but I have since spoken and written to Mr. Livingston with relation to those matters, and he will, I expect, write to you and to all our foreign ministers very fully.

We have not yet heard anything from the *Alliance*, and therefore conclude that she must have been delayed in Europe. I hope this may have been the case, for if she sailed on the 1st of March, according to my orders, she must have met with some unfortunate accident. I hope soon to hear from your excellency. Indeed, I persuade myself that in the very critical situation of affairs at present we can not be long without receiving very important intelligence.

I have the honor to be, &c.,

ROBERT MORRIS.

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Luzerne to Washington.†

[Translation.]

PHILADELPHIA, *May 17, 1782.*

SIR: I write only to acknowledge the receipt of the letter your excellency did me the honor to write on the 28th ultimo. I feel myself extremely obliged by the freedom with which you have been pleased to furnish me with the information I requested, and I beg you to be per-

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my letter to Congress of the 17th instant, enclosing an intended circular letter to the States. I laid before these gentlemen a true picture of our present situation; but after much conversation they appeared to be disinclined to sending the circular letter, and I proposed sending suitable persons to the several States, to make proper representations to the executives and legislatures, which they seemed to prefer, and on which they are to consult and report to-morrow morning.—*Diary.*

\* 6 Sparks' Dip. Rev. Corr., 466.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 65.

suaded that I shall make use of it only to contribute to the success of our common operations.

The reports of the action between the fleets in the West Indies are so vague that I can form no certain judgment thereon. I presume, however, that the handbill published at New York the 12th of this month is at least partly false. They write me from Martinique, the 13th of April, that Count de Grasse has beaten the English.

I am, with the most respectful attachment, etc.,

LUZERNE.

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Congress to the King of France.\*

The United States in Congress assembled to their great, faithful friend and ally, Louis the Sixteenth, King of France and Navarre.

GREAT, FAITHFUL, AND BELOVED FRIEND AND ALLY: Among the many instances that Divine Providence has given us of his favor, we number the blessings he has bestowed on your majesty's family and kingdom. Nothing was wanting to the happiness of the first but a son to wear the honors which the father had earned, or to the prosperity of the latter but the prospect of seeing the crown transmitted to an heir, who would find in the example of his parent a powerful incitement to promote the happiness of his people. This example, we presume to hope, will also influence his future conduct towards these United States. When, in the history of the present day, he shall read your majesty's generous interference in their behalf, their firm and affectionate attachment, and the blessings with which both were crowned, he will be studious to preserve to his kingdom and these States the reciprocal advantages of the alliance which your majesty has formed, and to emulate his ancestor in adding to his titles the glorious appellation of protector of mankind.

We receive with the most lively pleasure your majesty's renewed professions of friendship. You will easily believe that the attachment which we have so often and so truly professed for your majesty could suffer no diminution, when every day afforded us new instances of your magnanimity and of your affectionate interference in our behalf.

We pray God, great, faithful, and beloved friend and ally, always to keep you in his holy protection.

Done at Philadelphia, the 20th day of May, in the year of our Lord one thousand seven hundred and eighty-two, and in the sixth year of our independence. By the United States in Congress assembled.

Your majesty's faithful friends and allies,

JOHN HANSON,  
*President.†*

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\* 6 Sparks' Dip. Rev. Corr., 65.

† See the letter, to which this is an answer, *supra*, dated October 22, 1781.



[H. Laurens' letter to Franklin of May 17, 1782, is given *infra* in Franklin's Journal under date of July 1, 1782.]

**Morris to Le Couteulx & Co.\***

OFFICE OF FINANCE, *May* 18, 1782.

GENTLEMEN: I pray that you will receive my sincere thanks for the accurate and punctual manner in which you have performed the business of the United States which I have placed in your hands, and be assured that it shall always command my attention. I should have lodged in your hands very considerable sums on their account, subject to my disposition, but Dr. Franklin having recommended to me in a very particular manner Mr. Grand, whom he had formerly employed, not only for his punctuality as a banker, but also for his zeal in the American cause, which he had early and warmly espoused, and evidenced his attachment by liberal advances of money on the credit of their commissioners before the court had acknowledged them as a nation, I thought it my duty to employ him. But I think it more than probable I shall have occasion for another banker, on particular occasions and negotiations, and I shall take the liberty in every such instance to employ you, gentlemen, not in the least doubting a continuance of your punctuality and attention.

I have the honor to be, &c.,

ROBERT MORRIS.

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**Morris to Grand.†**

OFFICE OF FINANCE, *May* 18, 1782.

SIR: Our enemies, being at length convinced by fatal experience that it is in vain to expect the conquest of America, have now changed the mode of attack, and strike at our commerce and our resources. I have no doubt but that eventually they will be foiled in this, as in every other attempt they have made, but, in the interim between their first effort and the period which must elapse in preparations to obviate this plan, we have suffered and must suffer considerably.

The commerce of this country has sustained a severer blow than has been hitherto felt, and the effects of it materially influence my operations. The merchants, deprived of their property, can not command money, and of consequence can not buy bills. I am therefore unable to command by drafts the money in your hands. My bills do not yet amount to a million of livres, and will not, I believe, exceed that sum when this letter goes away. Those bills will not come to you before the month of July, and the greater part will not be payable until the end of September, and even later; but you will be possessed of three millions and a half by the first of July even if you shall have received nothing from Dr. Franklin on the old accounts.

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\* 6 Sparks' Dip. Rev. Corr., 470.

† 6 Sparks' Dip. Rev. Corr., 469.

I am therefore to request that you will make three shipments of one hundred thousand crowns each, or six hundred thousand livres, making in the whole eighteen hundred thousand livres. I wish it to be sent by three different conveyances, for the sake of greater safety, unless some very important convoy should offer, in which case I desire an immediate shipment of twelve hundred thousand livres. I wish also that the money be invested if possible in gold, because four crowns are worth here only four hundred pence, but a louis is worth four hundred and fourteen pence, being a difference of three and a half per cent. But that you may know the best mode of investing it I have to inform you that English guineas are worth four hundred and twenty pence, half johannas seven hundred and twenty pence, moidores five hundred and forty pence, and Spanish pistoles three hundred and thirty-six pence.

I shall leave this letter open for the inspection of Dr. Franklin, to whom I shall enclose it, and I shall request him to obtain for and communicate to you such information from the court as may be necessary for your direction in this business. I wish that the shipments of money may if possible be on board of the same vessels in which the money shall be sent for the use of the French army or navy here. I wrote to you on the 3d of December last requesting you to pay to Messrs. Cou-teulx & Co., for account of John Ross, two hundred thousand livres, and for account of William Bingham one hundred thousand livres to John Holker, for account of John Holker fils; conceiving that you would be in cash for the purpose from the loan opened in Holland for our use.

I hope before this reaches you that those sums will have been paid; and you will observe it is my wish that as well those as the bills mentioned in my letters of the 9th and 28th of March should be paid out of that loan, but if that can not be done you will then make payment from any other moneys which may be in your hands.

I have the honor to be, &c.,

ROBERT MORRIS.

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Livingston to Harrison.\*

PHILADELPHIA, *May 21, 1782.*

SIR: You have probably heard of Colonel Livingston's misfortune, which deprived me of the pleasure of hearing from you by him. Our ports have been so closely blocked up for some time past that it is with great difficulty we can get any vessels in or out. He shared the common fate, and was carried into New York, from whence he is come out with Mr. Vaughan upon parole. He destroyed all his letters, and his parole closing this month, we have been able to learn nothing of importance from him.

The new system which England seems to be about to adopt with respect to America has not yet discovered itself here, except in general

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 184.

professions, which the present commander-in-chief, Sir Guy Carleton, is continually making of his kindness and the affection that still subsists in England towards the people of this country. This has produced not the least effect here; all ranks of people consider it rather a proof of their imbecility than of their good will, and the legislatures of the several States will, I imagine, enter into resolutions similar to those passed by Maryland, which you will find in the enclosed papers. I direct them to you; after you have read them I wish you to enclose and send them to Mr. Jay as soon as possible. I commit to your particular care the several packets that go with this, trusting that you will send them in such way as to escape inspection. They contain very important papers, as well those that go to Mr. Adams as to Mr. Jay.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Fox to Thomas Grenville.\*

ST. JAMES'S, TUESDAY NIGHT, *May 21, 1782.*

DEAR GRENVILLE: If your letter of the 10th a little damped me in my hopes of good effects from your journey, that of the 19th, which I have just received, together with Mr. Oswald's conversation, has very much revived me. I send away the messenger for fear of the delays which cabinets are so apt to cause; but I hope you will hear from us again very soon, with authority to offer the independence as unconditionally as you can wish. Mr. Oswald says that Dr. Franklin is much inclined to confide in you; if so, ask him at once in what manner we can act so as to gain a substantial, if not a nominal, peace with America; and you may depend upon all my influence in support of his advice.

I hope you will not be disappointed at our adhering to our first ideas for the proposition *we* are to make, rather than offering concessions. If *we* are to offer, we think it is not for us to throw concessions at their head; but if they do not like our proposals it is for *them* to ask such as may be reasonable. If what they propose is really so, there is no doubt of our complying, and if it is not, or they should refuse to make any offer at all, it will surely be clear who was most in earnest in his wishes for peace; and we must make the best advantage we can of our situation about which I begin to be more sanguine than I used to do.

From your letter there are surely great hopes of detaching America, and from those we have just received from Petersburg there appears the most favorable disposition in that quarter to enforce a peace with Holland; or, if that cannot be, to take a decisive part. And I know how much this disposition will be increased if we can fully convince his Imperial majesty that the failure of your negotiations is not our fault.

With regard to all your diffidence of yourself, we laugh at it. If, in order to save yourself bodily labor, you want a secretary, write and you shall have one; but for any other purpose you want no assistance, but

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\*1 Buckingham Mem., 28.

are allowed by everybody, and the king in particular, to be the best writer of despatches that is known in this office.

Adieu. I envy you the pleasure of announcing the news from the West Indies, with all the modest insolence which belongs to the occasion.

Yours, most affectionately.

Pray make my best respects to Dr. Franklin, whose letter to me contained some very promising expressions. Assure him that, in spite of all that has happened, he and I are still of the same country.

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Sheridan to Thomas Grenville.\*

ST. JAMES'S, *May 21, 1782.*

DEAR GRENVILLE: You are certainly one of the best negotiators that ever negotiated, and so says the king, your royal master, who is going to send you the fine silver box which you receive with this, and which, with great envy, I learn is your property, and which, if the serious modesty of your former despatch could have been seriously construed, you would not have been entitled to. Though I have not written before, have not my punctuality and remembrance appeared conspicuous in the newspapers you receive? These tell you all the private news, and all that is important of public you will have heard before you receive this; so this must be a very short letter, and, indeed, the messenger is almost going, and Charles has been writing to you, which is another reason for my saying very little. Mr. Oswald talks very sanguinely about Franklin, and says he is more open to you than he has been to any one; but he is a Scotsman, and belonging to Lord Shelburne. If the business of an American treaty seemed likely to prosper in your hands, I should not think it improbable that Lord Shelburne would try to thwart it. Oswald had not yet seen Lord Shelburne, and by his cajoling manner to *our secretary* and eagerness to come to him, I do not feel much prejudiced in his favor; but probably I judge wrongly whenever the other secretary is concerned, for I grow suspicious of him in every respect, the more I see of every transaction of his.

I am just told that the messenger is ready, so more in my next. There is one particular news: The Dutch are got back to the Texel. Lord Howe still off there, but nothing likely to come of it. Sir G. Rodney, notwithstanding his victory, is to be recalled, and Pigott is sailed. This I think very magnanimous in the ministers or very impolitic; events must justify; but it is putting themselves too much in their power. We had a good illumination for this news. You see how we go in Par-

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\*1 Buckingham Mem., 27.

liament by the papers; we are bullied outrageously about our poor parliamentary reform; but it will do at last, in spite of you all.

Yours ever, sincerely,

R. B. SHERIDAN.

Livingston to the President of Congress.\*

PHILADELPHIA, May 21, 1782.

SIR: I have the honor to enclose, for the inspection of Congress, the draft of a letter to Mr. Dana, together with a quadruplicate copy of one written the 2d of March, that Congress by seeing both may judge whether any further directions are necessary. I must take the liberty, sir, to request you to turn their attention to ~~this~~ subject, and to the draft, which I had the honor to lay before them, of a letter to the king, as soon as possible. Unless Congress decide upon them to-day, I shall lose a favorable opportunity of transmitting them to Europe.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

[Shelburne's letter to Oswald of May 21, 1782, is given *infra*, in Franklin's Journal, under date of July 1, 1782.]

Livingston to J. Adams.†

PHILADELPHIA, May 22, 1782.

DEAR SIR: It is so important to let you know that the late change in the British ministry, and the conciliatory measures they propose, have occasioned no alteration in the sentiments of the people here, that though I am too much hurried (this conveyance going sooner than was intended) to take particular notice of the letters we have received from you and which remain unanswered, yet I cannot but avail myself of it to inform you that it will not have the least effect upon the sentiments or wishes of our people, who remain invariably attached to their independence, and to the alliance as the best means to obtain it.

Sir Guy has written to the General Washington a very polite letter complaining of the manuer in which the war has been carried on, proposing to conduct it in future upon more liberal principles, and observing that "they were both equally concerned to preserve the character of Englishmen;" and concluding with the request of a passport for Mr. Morgan, his secretary, to carry a similar letter of compliment to Congress. Congress have directed that no such passport be given. The State of Maryland, whose legislature happened to be sitting, have come to resolutions which show their determination not to permit any ne-

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 185.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 613, with verbal changes.

gociation except through Congress; and their sense of the importance of the alliance.

No military operations are carrying on at present. The enemy having received no reinforcements, and growing weaker every day, of course afford us a fine opportunity of striking to advantage, if we are not disappointed in our expectations of a naval armament, or even without such armament, if we have sufficient vigor of mind to rely on our own strength.

I commit the enclosed for Mr. Dana to your care; I wish it could get to him, if possible, without inspection.

Congress have determined in future to pay your salaries here quarterly. I shall consider myself as your agent, unless you should choose to appoint some other, and make out your account quarterly, and vest your money in bills upon Dr. Franklin, to whom I will remit them, giving you advice thereof, so that you may draw on him. By the next vessel I shall send bills for one quarter, commencing the 1st of January last. I wish to have a statement of your account previous to that, so that I may get it settled, and remit the balance.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Livingston to Franklin.\*

PHILADELPHIA, *May* 22, 1782.

DEAR SIR: I expected to have written you a long letter, more particularly as it is some time since you have received any information from this country, the enemy having effectually blocked up our ports for some months past; but I find myself so extremely hurried that I have hardly leisure to write this, the vessel by which it is to be sent going sooner than I apprehended.

You will receive herewith a letter to his most Christian majesty, which you will present, and a copy which you will be pleased to deliver to the Count de Vergennes. This I believe is the usual form. You will also receive in the enclosed papers an account of the marks of respect and pleasure with which the annunciation of the birth of the dauphin was received. These are of some importance at a time when Great Britain is endeavoring to represent us as weary of our alliance, and anxiously wishing to return to our connection with them. It is probable that the late changes in the British administration, and the conciliatory measures they propose, may excite apprehensions of our firmness. I have the pleasure of assuring you that it has not produced the least effect; all orders of people seem to agree that it should redouble our vigilance, and, while it argues the weakness of the enemy, serve as a spring to our exertions.

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 256, with verbal changes.



Sir Guy Carleton shortly after his arrival wrote a complimentary letter to General Washington sending him an account of his appointment and the prints which contained the parliamentary debates, and requesting leave to send his secretary with despatches to Congress. The General refused the passport till he had the sense of Congress thereon, and upon Sir Guy's letter being laid before them they came to the resolution No. 2.

The papers I send you contain also resolutions of the State of Maryland and of the executive council of Pennsylvania, which I believe speak the language of all the States, who will, I doubt not, make similar declarations when their legislatures shall be convened. So that you may safely assure his majesty's ministers that no art which Great Britain can put in practice will have the least influence in lessening the attachment of the people of this country to the principles of the alliance. It is true their expectations of powerful assistance this campaign are very high. They saw with some pain last year that the fleet was withdrawn when the enemy were absolutely at their feet, and when one month's stay would have reduced either New York or Charleston. They look eagerly for the return of the fleet. They generally believe this to be the last campaign in America. There is no knowing what effect a disappointment in this hope would have. I believe from the present view of things that they would bear it with fortitude, but I should be sorry to see it put to the trial.

Our trade has suffered astonishingly of late; the influence which this will have upon our internal resources is much to be apprehended. It is to be wished that France would see the great advantages she would derive from keeping a superiority on this coast, where her fleets would be maintained cheaply while they protected our commerce and compelled England either to risk her army or to keep a regular fleet here at five times their expense. Enclosed is a statement of our trade drawn up by Mr. Morris. You are requested to communicate this to the court of Versailles, and to use every means in your power to bring the court to concur in adopting it.

I also enclose a resolution of Congress to request you to apply for the prisoners due to us, in order that they may be sent here and exchanged for our seamen who are confined without the hopes of relief. Is it impossible to devise some means for the enlargement of those who are confined in England? Can no cartel be settled or no means devised for sending them here to be exchanged? Their case is really pitiable.

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I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Livingston to Dana.\*

PHILADELPHIA, *May 22, 1782.*

SIR: Your letters from the 28th of July to October 15th have been read in Congress. I have reported an answer,† but they have not yet agreed on it, and I do not care to let this vessel go without a line, however hastily written, to you. You will receive with this the newspapers, which contain some important information upon a very delicate point. The administration of Britain having been changed, they will endeavor to represent themselves as popular in America, to induce a belief that we will, under their auspices, be desirous of returning to our connexion with them. Be assured that the change in their administration has produced none in the sentiments of America; they are immovably fixed in their determination to support their independence, and not to violate their alliance with France. The assembly (of Maryland) and the council of this State have passed resolutions to that effect; it will be the language of all as soon as they meet. Congress have refused a passport to Sir Guy Carleton's secretary, which was asked in order that he might be the bearer of a letter to Congress. Neither army has taken the field; of course I have no military operations to communicate.

Your salary will in future be paid here, where your agent will vest it in bills on Dr. Franklin, quarterly, upon whom you will draw accordingly. I shall consider myself as agent for all our foreign ministers, and transact the business accordingly for you, unless you should choose to appoint some other.

I enclose a cipher, which you will use, if it arrives safe, till I have leisure to send you a better.

I am, sir, your most humble servant,

ROBERT R. LIVINGSTON.

Washington to Livingston.‡

HEADQUARTERS, *May 22, 1782.*

SIR: I have been honored with your favor of the 13th, communicating to me the formal annunciation to Congress, by the minister of France, of the birth of a Dauphin.

Measures are ordered to convey to the army the news of this happy event, which will be celebrated with such demonstrations of joy as the occasion requires and our circumstances will admit.

\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 624.

† This refers to the preceding letter of May 10th.

‡ MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 185.

This information will be transmitted to General Greene, that the army under his command may participate in the general joy.

I have the honor to be, &c.,

GEORGE WASHINGTON.

Trumbull, Governor of Connecticut, to Livingston.\*

HARTFORD, May 23, 1782.

SIR: I do myself the honor to enclose you copies of a letter which I received some time since from Mr. Deane; as he appears to be somewhat knowing in the counsels of Great Britain, I thought it not improper to return him an answer; you will find five copies of what I have written likewise enclosed, and it is my duty to acquaint you that upon being laid before the general assembly of the State this answer was approved by both houses *nemine contradicente*.†

You will be pleased to lay both papers before Congress and the minister of France, and you will judge of the propriety of sending a copy likewise to Dr. Franklin, or our other ministers in Europe.

I beg leave also to recommend to your care for conveyance the letter covered for Mr. Deane, and am, sir, with the sincerest sentiments of esteem, &c.

JONATHAN TRUMBULL.

Morris to Franklin.‡

OFFICE OF FINANCE, May 23, 1782.

SIR: The minister has been so kind as to delay his express until I could write this letter. You mention in yours of the 4th of March that on Friday (then) last the minister informed you that we should have six millions, paid quarterly, and that you should now be able to face the loan office and other bills and your acceptance *in favor of M. de Beaumarchais*.

You are not unacquainted with the disputes which have subsisted with respect to M. de Beaumarchais' demand. Whether or not the moneys were originally advanced to him by the court is not at present to be brought into question by me, because it involves many things which are better adjusted by the court themselves than by any communication to or with others. I am only to observe that if the very considerable sum which is now payable to that gentleman forms a deduction from the pecuniary aid afforded us, the remainder will be extremely incom-

\* MSS. Dep. of State, 6 Sparks' Dip. Rev. Corr., 185.

† See, for notices of the letter, Introduction, § 163.

‡ 6 Sparks' Dip. Rev. Corr., 471.

petent to the purposes intended by it. There can be no doubt that your acceptances must be paid, but I have always expected that you would have been enabled to do it by a special grant for that purpose, or by an assumption of the payment on the part of the court. I shall not enter into the mode of arranging this business, but I must not refrain from observing that the great object now is to prosecute the war; that the articles which may have been furnished for the sum payable to M. de Beaumarchais must long since have been applied and expended; that our necessities now are as pressing as they possibly can be, and that everything which adds to their weight is extremely distressful.

You will observe, sir, that I have already made my dispositions as to the six millions granted for the current year. I shall go on to draw, as occasion offers, for all the moneys which may be in Mr. Grand's possession, making allowance for the shipments of money directed in my letters to him. If, therefore, any part of this sum should be otherwise disposed of, it might produce the most dangerous consequences.

With respect and esteem, I am, &c.,

ROBERT MORRIS.

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Morris to the President of Congress.\*

OFFICE OF FINANCE, *May 23, 1782.*

SIR: I do myself the honor to enclose to your excellency copies of letters, the former from Dr. Franklin to me, of the 4th of March, and the latter from the Count de Vergennes to him, of the 6th of February. With these I send the best sketch I have been able to form of the state of the public moneys, from which Congress will perceive that every sou we can command during the year 1782 is already anticipated. They will perceive that the pecuniary supplies of 1781 and 1782 amount, after deducting the expenses on the loan, to twenty-five and a half million of livres, and that there are (including the two million two hundred thousand livres appropriated to the interest of loan-office certificates) ten millions, besides the sum expended in Holland, which have already passed and are now passing through the hands of Dr. Franklin, and of which not a livre has been or ever will be applied to the current service.

If to this be added above two millions and a half due on Beaumarchais' bills, we shall have an amount of about twelve and a half millions, being at least one-half of all the moneys obtained abroad for the service of the year 1781 and 1782. And we shall find that this greater half is totally consumed in paying the principal of some and the interest of other debts which have been contracted before that period. I shall make no further comments on these things. They are before Congress and will speak for themselves. I have only to lament that the situation to which our affairs have been reduced is such that the greatest

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\* 6 Sparks' Dip. Rev. Corr., 472.



exertion which our ally can make in our favor is barely sufficient to satisfy present engagements, and that the knowledge of such aid only confirms the inattention of our own citizens to those distressing circumstances which it does not relieve.

I have the honor to be, &c.,

ROBERT MORRIS.

[Hartley's letter to Franklin, of May 24, and Franklin's letter to H. Laurens, of May 25, 1782, are given *infra* in Franklin's Journal, under date of July 1, 1782.]

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Luzerne to Livingston.\*

[Translation.]

PHILADELPHIA, May 25, 1782.

SIR: The Baron de Holendorff, Major in the service of his majesty, came to America in 1776, to offer his services to the United States. He was obliged, by circumstances which it would take too long to mention in detail, to return to France in 1778. Congress, before his departure, had adopted the annexed resolutions in relation to him; but the departure of this officer took place before he could procure the execution of them, which he now solicits, Dr. Franklin having told him that the settlement of this business belonged to Congress. The undersigned minister requests Mr. Livingston to be pleased to take measures to forward to this officer a decision of Congress, or of the Department of War.

The Chevalier de la Luzerne takes the liberty of renewing his solicitations respecting the money to be paid to the heirs of Messrs. De Kalb and De la Radière, and also respecting the reasons which have suspended the payment of the interest on different classes of certificates.

LUZERNE.

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Hartley to Franklin.†

LONDON, May 25, 1782.

MY DEAR FRIEND: Yours of the 13th instant I received by Mr. Oswald. I did not doubt but that the news of a general and absolute release of the American prisoners, which Lord Shelburne was so good as to communicate to me, in answer to that part of your letter of the 5th of April, in which you speak so pathetically of *sweet reconciliation*, would give you much sincere and heartfelt pleasure. God send that it may be the happy omen of final *reconciliation* and *durable peace*! I should be very happy to hear that good news from you, and in any way to contribute to it. Having on that subject communicated the pre-

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\* 6 Sparks' Dip. Rev. Corr., 66.

† 2 Sparks' Dip. Rev. Corr., 258.

liminaries, dated May, 1782, to Lord Shelburne, you may be assured that I have no reservations upon that head respecting America, in any circumstances or condition whatever. You know all my thoughts upon that subject and the principles upon which they are founded, and therefore that they are not changeable.

It would give me the greatest pleasure if I could hope for any opportunity of seeing you. I could say many things which are otherwise incommunicable, and which, perhaps, would contribute to facilitate the road to peace. I think I see in many parts much matter to work with, out of which a peace, honorable to all parties, and upon durable principles, might be established. *No degrading or mortifying conditions to shorten peace and rekindle war.* Perhaps I might not say too much if I were to add that simply the adoption of *reason* among nations and the mere rectification of obsolete and Gothic absurdities, which carry no gratification, would afford a fund of remuneration to all parties for renouncing those objects of mutual contention which, *in the eye of reason*, are no better than creatures of passion, jealousy, and false pride. Until the principles of *reason* and equity shall be adopted in national transactions peace will not be durable amongst men.

These are reflections general to all nations. As to the mutual concerns between Great Britain and North America *reconciliation* is the touchstone to prove those hearts which are without alloy. If I can be of any assistance to you in any communications or explanations conducive to peace you may command my utmost services. Even if a French minister were to overhear such an offer let him not take it in jealous part. Zealously and affectionately attached to my own country and to America, I am nevertheless most perfectly of accord with you, that justice and honor should be observed towards all nations. Mr. Oswald will do me the favor to convey this to you. I heartily wish him success in his pacific embassy.

Yours, ever most affectionately,

DAVID HARTLEY.

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Sheridan to Thomas Grenville.\*

ST. JAMES'S, May 26, 1782.

MY DEAR GRENVILLE: Charles not being well, I write to you at his desire that you may not be surprised at having no private letter from him with the despatch which Mr. Oswald brings you. There is not room, I believe, for much communication of any very private nature on the subject of your instructions and situation, as his public letter you will see, is very sincerely to the purpose. If anything in it admits of modification, or is not to be very literally taken, I should conceive it to be the recommendation of explicitness with Oswald, on which subject,

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\* 1 Buckingham's Mem's, 30.

I own, I have suggested doubts; and Charles wishes you to have a caution for your own discretion to make use of.

I perceive uniformly (from our intercepted information) that all these city negotiators—Mr. Wentworth, Bourdeaux, &c,—insinuate themselves into these sort of affairs merely for private advantages, and make their trust principally subservient to stock-jobbing views, on which subject there appears to be a surprising communication with Paris. Mr. Oswald's officiousness in bringing over your despatch and other things, I have been told since by those who know him, lead me to form this kind of opinion of him; but you will judge when this will apply to any confidence that should be placed in him.

Surely, whatever the preliminaries of a treaty for peace with France may be, it would be our interest, if we could, to drop even mentioning the Americans in them; at least the seeming to grant anything to them as at the requisition of France.

France now desires our ceding independence to America to be anything given to them, and declines to allow anything for it. In my opinion it would be wiser in them to insist ostentatiously (and even to make a point of allowing something for it) on the independence of America being as the first article of their treating, and this would forever furnish them with a claim on the friendship and confidence of the Americans after the peace. But since they do not do this, surely it would not be bad policy, even if we gave up more to France in other respects, to prevent her appearing in the treaty as in any respect the champion of America, or as having made any claims for her, we giving her up everything she wants equally, and her future confidence and alliance being such an object to us. Were I the minister I would give France an island or two to choose, if it would expose her selfishness, sooner than let her gain the *esteem of the Americans* by claiming anything essential for them in apparent preference to her own interest and ambition. All people of all descriptions in America will read the treaty of peace, whenever it comes, which France shall make with this country, and if they should see there that she has claimed and got a good deal for herself, but has not appeared to have thought of them, however they may have profited in fact, it would certainly give us a great advantage in those sort of agreements and competitions which will arise after a peace, whereas if it appears as a stipulated demand on the part of France that America should be independent, it will forever be a most handy record and argument for the French party in that country to work with, and this, as things stand now, and as far as my poor judgment goes, appears not to be a very difficult thing to have either way. And so these are my politics on that subject for you. You will find Rodney has taken some more ships. The unluckiness of his recall, I think, appears to increase in its ill effect, and people don't seem to fancy Pigott. Rolle has given notice that he will move on Thursday to know who advised his majesty to recall Rodney,

and out of doors the talk is the same. Charles gave Johnson, who had been very violent on this subject the other day, an excellent trimming, but there was a good deal of coy with the other.

The arming plan don't seem to take at all. We have not yet heard from Ireland since Burgoyne took them over a constitution.\*

There is nothing odd or new to tell you, but that here is a most untimely strange sort of an influenza which every creature catches. You must not mind the badness of my scrawl, and let me hear from you. Does Lafayette join your consultation dinners with Franklin, as some of our Roupell intelligence sets forth? I take it for granted the French ministers will think it a point of spirit to seem rather less desirous of peace since your defeat in the West?

Howe is still off the Texel, and the Dutch are safe within. What mere politics I write to you! One might as well be a newspaper editor at once, I believe, as anything that politics can make one, but all other pursuits are as idle and unsatisfactory, and that's a comfort.

Yours, ever,

R. B. SHERIDAN.

**Morris to the President of Congress.†**

OFFICE OF FINANCE, *May 27, 1782.*

SIR: I do myself the honor to enclose certain information, which I have just received in a letter from the minister of France. I take this occasion to mention that it is some time since M. de la Luzerne communicated to me the grant of his court, which was made in the month of December last. I think it my duty to add the persuasion I have that this grant was made on the minister's representations, and I can not omit testifying to Congress my grateful sense of his conduct, and my conviction that his endeavors have not been wanting still further to promote the interests of the United States.

I should earlier have communicated my intelligence of the loan in question, but I wished to receive the details which would enable me to judge how much of it was at my disposition. I confess that I did not expect they would have been so unfavorable. I was restrained also by an apprehension that the exertions of the States would relax when they should learn that any foreign aid could be obtained; and the situation of our commerce was such that if I had been enabled to draw for much larger sums it would have been of no avail, as I could not have got money for the bills.

I have the honor to be, &c.,

ROBERT MORRIS.

\* The Duke of Rutland had been appointed by the new ministry lord lieutenant in Ireland, and General Burgoyne commander-in-chief there.

† *MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 473.*

INFORMATION MENTIONED IN THE ABOVE LETTER.

The king never promised any subsidy to the United States, and all the sums which they have received from him have been lent or freely given. All those which have been advanced after the 6th of February, 1778, are to be repaid by the United States, except the six millions given last year. All the rest, whether furnished in money or in value, is a debt which they have contracted with his majesty.

These advances have been made at the following periods, and are payable with interest, conformably to the acknowledgments and obligations of Mr. Franklin:

	Livres.
In 1778 .....	3, 000, 000
In 1779 .....	1, 000, 000
In 1780 .....	4, 000, 000
In 1781 .....	10, 000, 000
Total.....	18, 000, 000
From this sum must be taken the gratuitous subsidy granted last year of.	6, 000, 000
Remains.....	12, 000, 000
To this must be added, 1st, the produce of the loan in Holland.....	10, 000, 000
2dly, the loan made by his majesty for the service of the current year ..	6, 000, 000
Total of the capital of the debt contracted by the United States with his majesty .....	28, 000, 000

I am ordered, sir, to renew to you the demand which I had the honor to make before, to the purport that Congress should authorise Mr. Franklin to consolidate the principal and interest of that debt, by an obligation in proper form. You are so firmly resolved, sir, to preserve the order you have introduced into your department, that it would be superflous to reiterate to you the assurance that his majesty will, under no pretext, exceed the sum of six millions which he has determined to advance to the United States for the current year. This exactness, which is in all cases indispensable, has become still more so now that the enemy seem determined to adopt a system which obliges us to turn the greatest part of our resources to a marine. I am persuaded, sir, that you can have no doubt as to the interest of loan-office certificates, and that you will not consider it as being at our expense, seeing that no engagement of that sort has ever been taken by us. If bills for this interest should continue to be forwarded, those who draw must provide for the payment of them.

LUZERNE.

Luzerne to Livingston.\*

IN CONGRESS, *May* 28, 1782.

The Secretary of Foreign Affairs laid before Congress the following verbal communication made to Mr. Livingston.

The minister of his most Christian majesty has the honor to inform Mr. Livingston of several particulars relative to the negociation that the court of London appeared disposed to open in Europe. The first steps were taken under the former administration. This remark is essential, because it is possible that the new ministers may take others more decisive; or it is equally possible that they may entirely change the system and continue the war still longer.

\* MSS. Dep. of State ; 6 Sparks' Dip. Rev. Corr., 67.

Emissaries have been sent to Paris and to The Hague to sound on the one hand Mr. John Adams, in the hope that his connexion with some independent members might facilitate an accommodation ; and on the other side, in the hope that very advantageous offers might seduce his majesty and engage him to make a separate peace to abandon his allies. The Chevalier de la Luzerne is not informed of the steps that have been taken at Madrid or by the States-General.

The proposition made secretly to France tended to a partial peace. It offered France the possession of their conquests in the West Indies, the suppression of an English commissary at Dunkirk, and advantages in the East Indies. These offers were certainly satisfactory to his majesty, and he would have had no reason to reject them if he had had no allies. But his engagements marked out another line of conduct. He replied that how sincerely soever he was disposed to peace, he would commence no negociations to this end without the participation of his allies. The emissary easily comprehended that this answer related as well to the United States as to Spain, and pretended that the condition was inadmissible ; that England, in treating upon this foundation, would acknowledge the independence of her Colonies, which made no part of her system. The minister of his majesty replied that their independence was considered by the king as an indispensable point, and that it made the basis of his system.

The English agent then demanded if there were no means to avoid treating with us of the affairs of America. The Count de Vergennes replied by referring him to the answer given to the first overtures of pacification made by the mediators and communicated to Mr. Livingston.

It should be observed that, whether England treats of the affairs of the United States with the court of Versailles, or whether she opens a direct communication with the United States, she can not avoid treating with the American negociators sent by Congress. In either case she will be under the necessity of acknowledging that body.

The conduct of his majesty on this occasion being strictly conformable to justice and his engagements, his minister confines himself to a simple communication of it to Mr. Livingston. He confides also to him that the Count de Vergennes, in declaring to the English agent that his majesty could not listen to any negociations of peace if the court of London did not treat at the same time with his allies, added verbally that the king did not attend to his satisfaction till that of his allies was procured.

Besides this, the effects of these steps taken by the court of London have been to engage France to pursue with redoubled vigor the measures that have given birth to these appearances of peace, but which would certainly not terminate in it if England perceived that her enemies relax their efforts in any manner. It is above all things indispensable that the United States should, in the course of this campaign, be in a situation to coöperate in vigorous enterprises which may be



formed. It appears that the design of the court of London, pointed out by the debates in Parliament, is to reduce, by a defensive war, their operations upon this continent. The minister of his most Christian majesty has at present no information relative to the plans of the approaching campaign. But whatever they may be, it would be useful to be enabled to inform his court that the United States will not adopt an inactivity, which would be equivalent to the truce required. But that their design is to trouble the repose that the enemy wish to deliver themselves to, and that the operations, whether combined or separately undertaken by the United States, will be pushed with activity during the ensuing campaign.

As to the place of the negotiations, Congress knew in 1779, when they named a plenipotentiary, and in 1781, when they gave him three colleagues, that it could only be in Europe, and that this was the most effectual means of preventing delays and jealousy, and of maintaining the confidence and harmony which has so happily subsisted hitherto between the allies. It would be important that the minister of his majesty could inform his court that Congress persists in these dispositions; and that in case commissaries offer to treat upon this continent, they should be referred to the ministers of the United States, who are provided with instructions on this subject in Europe; that the court of London should address itself to them; and that it is impossible that the seat of negotiation should be in America. When these overtures were made to the court of Versailles, the agent made no mention of those that were to be made in America or to the American ministers in Europe. It is obvious that the design of this conduct is to inspire reciprocal distrust; and the Chevalier de la Luzerne conceives it can in no way more effectually be prevented than by a full communication of every circumstance which shall relate to the pacification and to the interests of the alliance which shall come to his knowledge.

[Shelburne's letters to Franklin, of May 28, 29, 1782, are given *infra*, in Franklin's Journal, under date of July 1, 1782.]

Morris to Franklin.\*

OFFICE OF FINANCE, May 29, 1782.

DEAR SIR: I do myself the honor to enclose you copies of two acts of Congress, one of the 5th of June and the other of the 18th of June, 1779, relating to the affairs of M. de Beaumarchais.

You will observe, sir, that you were authorised to pledge the faith of the United States to the court of Versailles for obtaining money or credit to honor the drafts on you. There is a mysteriousness in this transaction, arising from the very nature of it, which will not admit of

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\*MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 475.

explanation here, neither can you go so fully into an explanation with the court. M. de Beaumarchais certainly had not funds of his own to make such considerable expenditures; neither is there any reason to believe that he had credit. If the court advanced money it must be a secret; but there would be no difficulty in giving an order in your favor for the sum necessary to pay those bills, and, therefore, measures might be taken to obtain from him the reimbursement of any sums he might have received. Consequently there would be no actual advance of money made, as the whole might be managed by the passing of proper receipts from you to the court, from M. de Beaumarchais to you, and from the court to him.

I wish that you would apply on this subject, and get it adjusted. The diverting from a loan for the service of the current year so considerable a part as that due to M. de Beaumarchais will defeat the object for which it was granted. It ought not, therefore, to be done if possible to be avoided.

With respect and esteem, I am, &c.,

ROBERT MORRIS.

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Livingston to Dana.\*

PHILADELPHIA, *May* 29, 1782.

SIR: You will receive herewith a letter of the 10th inst., which, having been submitted to Congress, was returned yesterday to this office together with the resolution which I have the honor to enclose, expressive of their sense of the sentiments contained in the letter and of the line of conduct you ought to pursue. Having written to you so lately I have nothing to add unless it be a fact that I wish you to explain if you should hear it misrepresented. You know the barbarity with which the British have carried on the war in every stage of it. You have seen repeated resolutions of Congress threatening to retaliate in case they did not alter their conduct, and you have as frequently seen their humanity get the better of their resolution.

The murder of Colonel Haines, the cruel infraction of the capitulation of Charlestown, and the execution of a number of persons under various pretences passed unpunished, when a most unheard-of insult lately received awakened all our resentments and showed the injustice we did ourselves in having permitted them to pass thus long unnoticed.

Captain Huddy, of New Jersey, was taken in arms by a party of the refugees; he was carried to New York and confined some time in the provost, from thence was put on board a prison ship, after which he was taken out by an officer and a party of men, was carried to the Jersey

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\* MSS. Dep. of State; of this letter only a fragment is given in Sparks' ed., vol. 4, p. 625. See *infra*, Livingston to Franklin, May 30, 1782; to Dana, December 17, 1782.

shore and privately hanged, with a label upon his breast declaring it was in return for the death of a man who was shot by the guard in attempting to make his escape after having been taken prisoner. So atrocious an act of cruelty has at length determined Congress to retaliate. General Washington wrote to Sir H. Clinton demanding the perpetrators of this barbarous act, which could not have been done without his knowledge, as the man was taken out of the provost and prison ship for this purpose. The army divided upon this occasion. Many of them insisted with General Clinton that he should be given up; others, who it is supposed had some agency in directing the execution, defended the measure. Clinton ordered a court martial to try the perpetrators of the crime. Sir Guy Carleton, we are informed, has discharged them, in consequence of which General Washington, with the approbation of Congress, has directed that a British captain be executed. The lot has fallen upon Captain Asgill, son of Sir John Asgill, who is now on his way to camp. It is a melancholy reflection that the innocent must suffer for the guilty; but it is to be hoped this will prove mercy in the end, as it may bring the most savage nation in the world to reflect that their crimes will in the end fall upon their own heads. You will after this explanation the more fully understand the detached accounts you may meet with of this business in the papers I have sent you. We have not been able to settle a cartel with the British for the exchange of prisoners of whom we have a balance in our hands to the amount of 10,000. They refuse to pay the great sums that we have advanced for their maintenance, which we made a preliminary to an exchange. It is not improbable that the Germans will be made free of the country, sold for three years to defray this expense, which most of them wish, as they express a great inclination to settle here.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Livingston to J. Adams.\*

PHILADELPHIA, *May* 29, 1782.

DEAR SIR: It is with equal surprise and concern that I find not the least attention paid to the several letters I have written you since I have had the honor to be in office. I attributed this to their not having reached you till I saw an extract of a letter written to M. Dumas, that went by the same conveyance with one to you, published in the *Courier de l'Europe*, from which circumstance I conclude it must have been received. It would give me pleasure to learn that I had been deceived in this particular, because the punctuality with which your correspondence with Congress had hitherto been maintained would otherwise lead me to conclude that you were not satisfied with the present arrangement

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 614, with verbal changes.

of the Department of Foreign Affairs, a reflection which would be painful to me in proportion to the value I put upon your esteem.

I have seen your letter of the 26th of March to Dr. Franklin, in which you speak of the application you have had on the score of your power to treat of a truce; this, together with similar applications to Dr. Franklin, and the proposals made at the court of Versailles convince me that it is their wish to endeavor to detach us from each other. What an insult it is to our intellects to suppose that we can be caught by this cobweb system of politics. I entertain hopes that your answer, together with that of the Count de Vergennes, will teach them to think more honorably of us. Our expectations with respect to the success of your mission are considerably raised, as well by your letter as by other circumstances that we have learned through different channels. By this time I hope you are in full possession of your diplomatic rights.

I wrote to you three days ago; since which we have nothing that deserves your attention, except what you will learn by reading the enclosed to Mr. Dana, sent you under a flying seal. It may be well to take notice of the affair in the Leyden Gazette, as I doubt not if Asgill is executed that it will make some noise in Europe. We are distracted here by various relations of a battle fought between the fleets in the West Indies on the 12th of April. The Antigua and New York account is that the British have been victorious, that the *Ville de Paris* and six other ships were taken or destroyed. The French account is that Rodney was defeated, and that Count de Grasse had gone to leeward with his transports. Though it is six weeks since the action, we have nothing that can be depended upon.

I am, sir, with great respect, &c.,

ROBERT R. LIVINGSTON.

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Morris to Clark.\*

OFFICE OF FINANCE, May 30, 1782.

SIR: I received your letters of the 7th, 9th, 14th, 18th, and 21st of May. The resolutions of the house of delegates, passed on the 20th, have been submitted to Congress, and they have referred the matter to Mr. Rutledge and Mr. Clymer, two of their members, who are going on special business to the southward. Your letters contain a great many particulars which I shall briefly enumerate and take notice of; many of them are of a private and personal nature, and therefore ought not in any case to have influenced the determinations on a matter of great public importance. I should pay no attention to them if I were not persuaded that the design is not so much to injure me as to involve the national affairs committed to me.

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\* 6 Sparks' Dip. Rev. Corr., 475.

I find there are made against me personally the following charges:

1st. That I have robbed the eastern States of their specie.

2dly. That I am partial to Pennsylvania, being commercially connected with half the merchants of Philadelphia.

3dly. That I am partial to the disaffected.

4thly. That I have established a bank for sinister purposes.

5thly. That my plan and that of Pennsylvania are to keep Virginia poor; and

6thly. That, with the secretary of Congress and Mr. Coffin, I am engaged in speculation.

As to the first point, I believe the eastern States have a very different opinion of the matter, although there may be one or two persons in some part of those States who, from their great latitude of conscience, would not scruple to assert what they know to be false. Those who make and respect such assertions must be content to pass for the authors and inventors of untruths with design to injure the public service and sow dissensions among the States. I have not received from the eastern States, any more than from the southern States, *one shilling of specie* since I was appointed to my present office, although I have sent very considerable sums from hence both eastward and southward, as the exigencies of the service required.

As to the second point, that I am commercially concerned with half the merchants of Philadelphia, if that were as true as it is false, the conclusion that I am partial to Pennsylvania would by no means follow. A merchant, as such, can be attached particularly to no country. His mere place of residence is, as merchant, perfectly accidental, and it would be just as reasonable to conclude that an American residing at L'Orient, and trading to China must be partial to the French and Chinese. I know that this story of my partiality to Pennsylvania has been very assiduously circulated, and has obtained an extensive currency. It was supposed that I must be partial to Pennsylvania because I reside in it. The assertion, therefore, was made and the contracts I had entered into were brought as the evidence to support it. I have received from Pennsylvania for the service of the last year one hundred and eighty thousand dollars, besides a warrant on their treasury for near ninety thousand, which is not yet paid. The contracts in Pennsylvania have not amounted to that sum. Is there a State in the Union which can say I received from them one shilling for the last year? There is not one. But I can demonstrate that while I was charged with this partiality, I had exhausted my credit and supplied every shilling of money which I could command from my private fortune to support and succor the *southern States*. But this was not from a partiality in their favor, for I will neither endeavor to ingratiate myself with them on such principles nor subject myself to the ignominy of just reproach from others. It was for the general good.

That I am partial to the disaffected is among those threadbare topics

of defamation which have been so generally applied that they have lost their effect. But I have remarked that this particular aspersion is generally cast on those who least deserve it, and by those who are in a fair way of becoming disaffected themselves. I am not very sorry for this charge, because it shows that while I have inveterate enemies, they have nothing to allege against me, and must resort to the regions of fiction for the ground of calumny.

That I have established the bank I shall confess. That bank has already saved America from the efforts of her avowed and the intrigues of her concealed enemies, and it has saved her from those who, while they clamor loudly against the administration for doing so little, sedulously labor to deprive it of the means of doing anything. The bank will exist in spite of calumny, operate in spite of opposition, and do good in spite of malevolence. If there be sinister purposes in view it must be easy to show what they are. The operations of a bank are such plain matters of arithmetic that those who run may read. There is nothing of mystery, disguise, or concealment. If, therefore, these sinister views can not be shown (and I know that they can not) that defect of proof, after the charge made, is itself a proof that the thing does not exist. But the matter does not terminate here. A groundless, unfounded opposition against measures of public utility must proceed from some cause. If it proceed from an opposition to the public interests their conduct is dangerous, but if it proceed from aversion to me I pity them.

That I should, or that Pennsylvania should, have a plan to keep Virginia poor, is a strange assertion. I believe that Pennsylvania will probably be rich; the soil and climate are good and the people are quiet and industrious. Their rulers also begin to be sensible of their true interests. They encourage commerce, have laid aside all the idle systems of specific supplies, and content themselves with laying money taxes. There can be no doubt but that such a people must become rich. On the other hand, if Virginia or any other State be poor, it must be their own fault. Prudence, diligence, and economy promote national prosperity, and vice, indolence, and prodigality involve national ruin. I am so far from wishing to impoverish Virginia that I have constantly labored both in my public and private applications to bring about those measures which are calculated to make her wealthy and powerful. In the moment of cool reflection this will be acknowledged; whenever my measures are adopted it will be known, and in that moment those who from ignorance or wickedness have opposed themselves to their country's good will be known and despised. The charge of speculating, in conjunction with the secretary of Congress and Mr. Coffin, is one of those foolish things which are not worth an answer. The whole business was known to the General, and after him to a committee of Congress, before anything was done.

*You tell me further that there are jealousies and resentments against*



Congress for a design to curtail the territory of Virginia; that it is alleged no money can come into the country while bank notes and bills on Philadelphia will purchase tobacco; and that the enemy having failed to subdue Virginia by force, would now try the arts of seduction, wherefore great care ought to be taken in preventing any intercourse with them. As to any design in Congress to curtail Virginia, if there be such, I know nothing of it. Congress will undoubtedly pursue the line of justice, and might be justly offended were they charged with that design which you say has offended Virginia. There was a time when Pennsylvania clamored loudly against Congress. It impeded the public service and injured the reputation of Pennsylvania without producing any good, much less a counterbalance for the evils which it did produce. Happily all those heats have subsided, and Pennsylvania is now what I hope Virginia will soon be, the zealous supporter of Congress.

The means of bringing money into a country are very simple, being nothing more than the creating a demand for it. If every man be obliged to get some money, every man must part with something to get money. This makes things cheap, and those who have money always choose to expend it where things are cheapest. But what is the predilection in favor of specie? If bank notes answer the purposes of money, the man who receives them has every benefit which he could derive from specie. If they will not answer those purposes, no man will receive them, and then Virginia will not be troubled with them. If money is due from Virginia to Pennsylvania or Maryland, it must go thither, and the only way to get it back again is to sell something cheaper than Pennsylvania or Maryland will sell it. As to any profit made by the bank in issuing their paper, gentlemen in Virginia may easily share it by purchasing stock, which can be had here for the subscription and interest.

That the enemy have been foiled in their attempts to subdue Virginia is true, and when we recollect the means by which they were foiled, it will not only obviate the charges of partiality, but show the advantages of unanimity, and ought to become a motive to cultivate harmony and excite exertion. That the enemy will try the arts of seduction I verily believe, or rather that these arts have been tried, but I do not believe they have the will or the power to buy many. It will sufficiently answer their purposes if they can promote disunion among us, because our concord is our only safety. To produce disunion nothing more is necessary than to set at work a few turbulent spirits. Neither do I see that they need be at the trouble of sending ships into the harbors of the several States, because such negotiations may be accomplished without that trouble or parade.

You tell me that the executive of Virginia refused the passports, because they deemed the commerce and intercourse with the enemy to be dangerous. There can be no doubt that a commerce with the enemy is not only dangerous, but highly reprehensible, and if the transaction

in question could be considered as a commerce of that sort, I would readily join in the censure. But if there was a commerce it was by the capitulation, and the present object relates only to the mode of paying a debt already contracted under that solemn agreement.

You tell me, also, that it is the governor's opinion that the State should have the benefit resulting from the passports, because the undoubted power of granting such passports is in the State; and in another letter you say it has been urged in argument that Congress have no right to grant the passports. As the right is thus brought in question, it is to be presumed that, should that right be in Congress, the governor's argument must operate in their favor. If I am rightly informed, their right on this occasion is not only unquestionable, but it is exclusive; and I am told that numerous instances have occurred in which vessels having passports from one State have been captured by the privateers of another State, and been adjudged lawful prize. Judge Griffin, who is now in Virginia, can doubtless give information on this subject, and if one could be allowed to determine where the right is from where it ought to be, there can be no doubt but that it must be in Congress. If this be so, then the assertions about delivering the rights of Virginia into the hands of Congress must be considered as nothing more than mere flowers of rhetoric, which are very good to please an audience, but ought not to influence or convince a legislative body.

How it can be said that these passports contravene the resolutions of Congress for confiscating British manufactures within the United States I am at a loss to conceive, and shall be, unless it can be proved that tobacco is a British manufacture. For I can not suppose that it is intended to confiscate that property which, having been secured by the capitulation, is under the protection of the law of nations, which law must always be taken notice of and respected by the municipal law of every civilized country. As to the laws of Virginia which may be contravened by it, I can not speak decidedly, but I have a pretty strong reason to doubt the truth of this assertion, and it will presently be assigned. But of all things in the world the most ridiculous is the assertion that this would give cause of complaint to the king of France. There is something of the same kind in the resolutions of the delegates, which I will now consider, observing beforehand that the objection would come rather unfortunately should it be made by men whose zeal for the honor and interest of his most Christian majesty has never shown itself, except in the present moment, and then by exciting discord among his allies.

The resolutions, being the act of a respectable body, are deserving of respect, and shall meet with it from me. But I must take the liberty to differ from them in some of their positions. It is resolved, first, that allowing the capitulants to export tobacco is not *warranted* by the capitulation. Much of what follows depends on the equivocal sense of the word *warranted*. If by that word is meant enjoined or directed,

the position is just, but if the idea to be conveyed is that such exportation is not *permitted*, then the position is untrue. The exportation is very clearly permitted by the capitulation, because the capitulation does not prohibit it, nor indeed say anything about it. But in a day or two after the capitulation, an agreement was made for the purchase of goods, payable in tobacco which is now sanctioned by the delegates in the last of their resolutions. Clearly, therefore, the exportation of tobacco in payment for British goods is (in the judgment of the delegates) *permitted* by the capitulation.

The second resolution seems to go upon a mistake. The acts of Congress for confiscating British manufactures, as I have already observed in another place, can not, I should imagine, be contrary to the laws of the commonwealth, or else it would not have been permitted in another instance, for the delegates can not be supposed to intend a breach of the law, and still less can they be supposed to mean that it was lawful for the General and the State agent to do what it is not lawful for the United States in Congress to do.

The third resolution, quoting a part of an article in the treaty of commerce, appears to me to be rather inconclusive. The object of that article was to make provision in a case which might happen when one of the high contracting parties was at peace and the other at war, which is not the case at present. The sense which France entertains on this subject may clearly be learnt from the various capitulations granted to the conquered islands; and if I am not much misinformed the sense of Virginia on this very question of exporting tobacco may be found, by consulting sundry instances of the kind subsequent to the capitulation of York.

The fourth resolution is a conclusion drawn from the three preceding, and says that the capitulation does not warrant the enemy to export tobacco, and that such exportation would be contravening the regulations of the United States, and contrary to the laws of the commonwealth, wherefore the vessels ought not to be permitted to load. The premises on which this conclusion is founded being unsupported, the conclusion itself must fall, or else the next succeeding resolution ought to be revoked.

The industry which you say has been used on this occasion would not have surprised me, if our affairs had been in such train that the country was entirely out of danger. But under our present circumstances, it both astonishes and afflicts me, not for myself but for the public. Men may flatter themselves that all is safe and well, and endeavor to shrink from the public burdens and embarrass the public operations, but the consequence is clear and certain. The enemy know they can not conquer, and therefore seek to divide us. Convinced that the northern and eastern States can not even then be subdued, their ultimate ambition now is to subjugate those to the southward, and the only means under heaven of preventing it is by unanimity. That the other States

should be plunged into hasty measures, pregnant with disunion, might have been expected, but that any inhabitants of a State deeply interested to pursue the contrary conduct should be so blind, both to the duty and interest of that State, will scarcely be believed hereafter, and could not have happened now but from causes which would bear a harder name than I shall give them.

I am, sir, &c.,

ROBERT MORRIS.

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Laurens to the President of Congress.\*

AMSTERDAM, *May 30, 1782.*

SIR: From the 6th of October, 1780, to November, 1781, I remained a close prisoner in the Tower of London, without hearing of any steps taken for my release, or for my support or consolation in that distressful state, either by Congress or by any of their servants.† In the latter

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\* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 716.

† The following letter merits insertion in this place. It was written to Count de Vergennes by the Marchioness de la Fayette, wife of the Marquis de la Fayette, immediately after she heard the news of the capture of Mr. Laurens. It is translated from the original, which I found among the American papers in the archives of foreign affairs in Paris. It should be premised, that after the Marquis de la Fayette was wounded at the battle of Brandywine, Mr. Laurens, then at Philadelphia, took him in his carriage to Bethlehem, and provided for him a safe and comfortable retreat, where he remained till his wound was healed. This letter to the Count de Vergennes is equally a proof of the gratitude and tenderness of its fair author:

“PARIS, *October 18, 1780.*

“Pardon, I pray you, sir, my importunity, and permit me to address you with the confidence with which your kindnesses to M. de la Fayette have inspired me, and to speak to you of an affair which interests me deeply. The capture and detention of Mr. Laurens in England has sensibly afflicted me. He is the intimate friend of M. de la Fayette, and took care of him during the time of his wound in a manner truly touching. His misfortune seems to me overwhelming, and when we consider the high station he has held in America, it is probable that it may become still more so. I know not if any means can be found to prevent it, or even to soften the actual rigors of his captivity; but I am persuaded, sir, if there are such, that they will be known to you. Should it be possible, let me entreat you earnestly to put them in use.

“Permit me also to speak to you of an idea which occurred to me, and which is not perhaps entirely unworthy of consideration. M. de la Fayette has friends which are on intimate terms with Mr. Fitzpatrick, who is himself well known. Among the ladies of my acquaintance are some who are the confidential friends of Lady Stormont. May not something be done through these parties in favor of Mr. Laurens? And what must be said to them? I beg you a thousand times to pardon my importunities, and give me in this affair your kind interests and counsels. You will, perhaps, think me very ridiculous, and very unreasonable; but the hope, however ill founded, of rendering some good service to the unfortunate friend of M. de la Fayette, has prompted me to run this risk, and make this experiment upon your indulgence, which, at least, I must desire you to accord to me. This will add yet more to the lively and sincere acknowledgment, with which I have the honor to be, sir, your very humble, and very obedient servant,

“NOAILLES DE LA FAYETTE.”

month I learned that Mr. Edmund Burke had, some very little time before, applied to Dr. Franklin to effect an exchange between Lieutenant-General Burgoyne and myself, that the Doctor had replied that he had in his possession a resolution of Congress for that purpose, a copy of which he then transmitted to Mr. Burke; and about the same time, a letter from Dr. Franklin to Mr. Hodgson, or to Mr. Vaughan, I forget which, was slipped into my hands in the Tower. In this letter, the Doctor expressed some satisfaction in having heard from "high authority" that I was well satisfied with the treatment I had received in my imprisonment (the contrary was notorious to the whole world), and he directed the pittance of one hundred pounds to be paid to me, if I should stand in need. To the first part I desired it might be answered, that the Doctor had been most egregiously misinformed and imposed upon by the "high authority," and that the second was to me, after thirteen months' imprisonment, *like a drop of water from the very tip of Lazarus' little finger*. But I heard no more from Dr. Franklin on these subjects, or any other, while I was in confinement, nor till four months after my enlargement, and I have received no money from him at any time.

On the 20th of December last, being still a close prisoner, I penciled a few lines to Congress, informing them of the ill usage I had suffered in the Tower; that the proposed treaty for exchange had proved abortive, slightly intimating there had been neglect of me somewhere, and entreating that the only efficacious measure might be adopted for my release. I penciled seven copies of this letter, passed the whole into the hands of a friend in London, and desired he would forward them to Holland and France, in moiety, for distribution on board eight vessels bound to America. From this precaution, I trust at least one copy has gained the place of address.

Within a day or two after the British ministry had determined against accepting Lieutenant-General Burgoyne in exchange for me, an inquiry was made of me from them, as I believed, whether Dr. Franklin had power to exchange Lord Cornwallis for me, to which I could give no positive answer, and there the subject dropped. On the 31st of December, being, as I had long been, in an extreme ill state of health, unable to rise from my bed, I was carried out of the Tower to the presence of the Lord Chief Justice of England, and admitted to bail "to appear at the court of king's bench on the first day of Easter term, and not to depart thence without leave of the court." This measure it seems had been preconcerted and determined upon without my solicitation or knowledge, but I refused to enter into that or any other obligation until I had previously made the following declaration to Mr. Chamberlain, solicitor of the treasury (who had been sent by the secretaries of state to notify me in the Tower of their intention to enlarge me upon bail), in the audience of several officers of the court, the governor, and deputy governor of the Tower, and other persons who attended upon the occasion, at Sergeant's Inn: "In order to prevent or to save trouble, as I



do not know the nature of the obligation to be required of me, I think it necessary to premise that I will do no act that shall involve me in an acknowledgment of subjection to this realm, and that I save and reserve to myself all the rights and claims of a citizen of the united, free, and independent States of North America."\* This solemn second abjuration of the king, in one of his own courts, was going as far as decency would permit, and I was at that moment in so very low and languishing a state, that I could express myself no further. None but God knows what I suffered, and I expected nothing less than to be remanded immediately to the Tower. The solicitor concluded by saying that some violence had been done to the laws for my relief.

About ten or twelve days before the first day of Easter term, being still in a very bad state of health, I obtained permission to leave England, in order to hold a conference with Mr. Adams, having a warrant from under the hand of Lord Shelburne for putting off the day first assigned for my appearance at the court of the king's bench. Mr. Adams met me at Haerlem (within twelve miles of Amsterdam), and in a conversation of a very few minutes, confirmed me in opinions which I had firmly and uniformly delivered to the British ministry, that the United States of America would not enter upon any treaty with Great Britain, but in terms of the treaty of alliance between France and America. On the 23d of April I returned to London, and repeated the next day to Lord Shelburne what I had formerly assured his lordship on that head, in which his lordship had supposed, or perhaps only hoped, that I had been mistaken for want of better information. I left his lordship apparently disappointed and chagrined.

On the 25th, I peremptorily declared my intention to surrender myself to the court of king's bench, the court being then sitting to discharge my bail, and submit my person to the will and disposition of the court. This having been signified to Lord Shelburne, his lordship sent to me by the hands of Mr. Oswald, one of my bail, an ample discharge on the 27th. Reflecting that there had been frequent attempts, while I was in the Tower, to discharge me under a pardon, even privately, and to be effected by some contrivance without my own concurrence and knowledge, I questioned Mr. Oswald before I would accept the discharge, whether it proceeded in any degree from a grant of pardon, to which he answered in the negative upon his honor. Lord Shelburne having, before I had been to visit Mr. Adams, proposed to grant me a full and unconditional discharge, I had replied to his lordship that I dared not accept of it myself as a gift; that Congress would make a just and adequate return for my enlargement; that having once offered a British lieutenant-general in exchange for me, I was under no doubt they would give for my ransom an officer of the same rank. And I have reason to

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\* I have been often assured that this declaration had a very great effect upon the minds of the people in England in favor of American independence.—*Note by Mr. Laurens.* SPARKS.



believe that after my refusal to accept the gift, his lordship understood and expected that such a return would be made, although from the nature of my commitment, it was pretended he could not formally enter into a stipulation. Therefore, immediately after receiving the discharge on the 27th, I wrote to Dr. Franklin, and solicited his concurrence for discharging Lieutenant-General Lord Cornwallis. Hitherto I have not received the Doctor's answer. Should he concur in my opinion, and join in the necessary act for that purpose, I trust we shall receive the approbation of Congress. On the 10th instant I received from Dr. Franklin a formal notification of my appointment in the commission for treating with Great Britain, and also a copy of the said commission. I left London on the 11th, and arrived at Ostend on the 15th, from whence I informed Dr. Franklin that I declined the honor of that office,\* but that I should proceed to The Hague, and inquire of Mr. Adams whether I could be serviceable in the business originally charged upon me by Congress, in which, if there was an opening, I would engage with diligence and fidelity. Upon my arrival at The Hague I related to Mr. Adams the purpose of my journey, adding that I was ready to enter upon my duty, provided I was included in his commission, observing that my own had been destroyed at the time of my capture. Mr. Adams at first intimated a hearty desire to accept the offer of my service, and said, "We will look into the commission." At our second meeting, without speaking of the commission, he informed me that he had already taken the necessary measures in the business, by employing proper mercantile houses to borrow money on account of our United States. From the tenor of these answers it remains to me uncertain whether I am included in the subsequent commission or not; but from his forbearing further to invite it, I conclude he thinks my attention is not requisite, and that it could only be productive of unnecessary expense to the public, which I neither wish nor would encourage. I shall, therefore, after having paid an indispensable debt of friendship and humanity, by visiting my distressed relations in the south of France, from whom I have been separated upwards of seventeen years, and after having recovered by a change of climate and respite from fatigue a better state of health, return to America, and present, if required, a much more minute account of my conduct to Congress. And I flatter myself with hopes of convincing them, that notwithstanding the rigorous close confinement which I suffered in the Tower, I made many oppor-

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\* I might assign various reasons, all valid, for this determination; the following single consideration, I trust, will be satisfactory to Congress. Five persons are nominated in the commission, not conjunctly, but severally and respectively, fully empowered. Whence it evidently appears that Congress had not in view or expectation that the whole would act; therefore, as there are three of those persons besides myself, and all of superior abilities, upon the spot, were I to thrust myself in, merely to make a fourth figure, I should feel guilty of a species of speculation by putting the public to unnecessary expense, without any well-grounded hope of rendering public service.—*Note by Mr. Laurens.* (SPARKS.)

tunities, even there, of rendering essential service to the interests of my country, without permitting my ardor to be in the least degree checked by considerations of neglect.

Permit me humbly to say it was I, though in close confinement, who first urged the propriety and utility of passing an act of Parliament for exchanging American prisoners. After my enlargement I further urged that business to its completion, visited those prisoners at a considerable expense to myself, administered to some of them relief from my own impoverished pocket, and obtained much greater for them from other persons. I first proposed to Lord Shelburne, and obtained his lordship's promise to send those prisoners in cartel ships to America, and I had the good fortune to prevail on his lordship to surmount the difficulty of doing this without the formality of pardons. I had declared that not the meanest of all the American prisoners at Portsmouth or Plymouth should accept pardon; and in my zeal for the honor of my country I presumed to add: "If they are discharged under that condition, not a British prisoner in America shall be enlarged without a pardon." I delivered my sentiments freely on the bill, which had been so very long in agitation, for empowering the king to make a truce or peace with America, and declared it would not only prove inadequate, but offensive. The bill was frequently brought to me by members of Parliament, to receive hints for amendment. The only amendment which I could propose was annihilation, and I left it under various scratches and scars, in a languishing condition. My advice was, "If you mean to do the business of peace, it is vain to continue nibbling; do it fully and gracefully, by an act to authorise the king to recognise or to acknowledge the independence of America; the fears which you affect to labor under, that America will become dependent upon any other power, will thereby be effectually removed." I was told a new bill, which would be tantamount to my ideas, would certainly be introduced into Parliament; but since I left England intimations to me from private friends speak of their continuing to hack at the old. I think, however, the temper of the present House of Commons will not give it passage without very great reform. This will probably be known before my letter enters upon its voyage.\*

I shall conclude this head with the words of a friend, received since my arrival on this side of the water: "*They* (meaning the British ministry) *think your absence good company.*" I believe this may be applicable to that part of the ministry who still hear with reluctance the doctrine of the total independence of America—a doctrine which I asserted in the Tower of London, and out of it, and always in the presence of their lordships, and as freely and as strenuously as ever I had

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\* I have replied to my friend, who wrote to me on this subject, as follows: "As to the peace bill, let them shape it as they please, Wisdom is justified of her children; if they will act foolishly, be the consequences to themselves. I have said and done *all that became me.*"—*Note by Mr. Laurens.* (SPARKS.)

done in the State-house in Philadelphia, and to which I am assured I have made many converts amongst the people of first importance in England; and perhaps it would be no exaggeration instead of many, to say thousands. Even Lord Shelburne, in the last convention I had the honor of holding with his lordship, discovered his determination, if not to be reconciled, to submit to it. "I shall part with America, Mr. Laurens, with great regret, because I think a total separation will not be for her good." As far as I am able to judge, the people of England—and I have lately been very much among them—are sincerely disposed to peace with America, and to accede to her absolute independence; and I have some grounds for hoping that the day is not far distant when those who have it more immediately in their power to breathe war or peace will perceive it to be for the interest of their country to enter heartily into the same disposition. The terms and conditions they know, and they now know the terms and conditions must be complied with.

Mr. Moses Young, whom I had engaged at my first appointment by Congress to attend me as a secretary and assistant, has made a claim for £567 14s. 2d., sterling, as due to him for salary to the 15th of February, 1782, when he entered the public service under Dr. Franklin. I shall recommend the payment of the said sum to the Doctor. Mr. Young's loss of time, loss of effects, and suffering in imprisonment, as well as his zeal and attachment in the cause of America, will be considered by Congress; and I hope, when he shall make a proper representation of his case, a further sum will be granted to him. While I remain in Europe the honor and interests of the United States shall be always in my view; and though in a private character, I do not despair of being serviceable to my country.

I have the honor to be, &c.,

HENRY LAURENS.

MAY 31.

P. S.—The success of the British fleet in the West Indies may, and probably will, inflate the heart of his Britannic majesty and turn it from an immediate disposition of peace.

Livingston to J. Adams.\*

PHILADELPHIA, *May* 30, 1782.

SIR: After I had written the letter of yesterday, and sent it off, I received your favors of the 4th, 21st, and 27th of February, and the 10th and 11th of March. The three last I laid before Congress this morning, that of the 21st I have kept by me for further consideration,

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 615, with verbal changes.

though I think, upon the whole, as you have submitted this to my discretion, that I shall lay it before Congress.

I know they have been solicitous to have some explanation of the reasons which induced you to take the step you did. Those you assign in your letter are very full, and I see nothing in it which it will not be proper for you to state to them, and it may remove some objections that have been raised to the measure.

I frankly confess to you that the style of that letter pleases me better than any other you have written, so far as it goes into minutiae, that we ought to exact from all our ministers, since nothing short of this can give us a just idea of our foreign politics. As for a general state of them, it may be got through various channels. But every word or look of a foreign minister, or popular leader, may serve to explain matters which are otherwise inexplicable.

I am sorry for the difficulty the cipher occasions you. It was one found in the office, and is very incomplete. I enclose one that you will find easy in the practice, and will therefore write with freedom, directing that your letter be *not* sunk in case of danger, as many are lost by that means. Want of time induces me to send you a set of blanks for Mr. Dana, which you will oblige me by having filled up from yours with the same ciphers, and transmitted by a careful hand to him. This will make one cipher common to all three, which I think will, on many occasions, be of use to you and Mr. Dana.

I am very glad to hear of your proposed removal to The Hague, as it is the proper stage on which to display your abilities and address. I can not hope to get any determination of Congress on the subject of your purchase, in time to be transmitted by this conveyance. When another offers, you shall hear from me. Can nothing be done towards procuring a loan from Holland on account of the public? Ten millions of livres would set our affairs here on the most respectable footing.

We have just received an account from Charleston of the victory obtained by Rodney. This is a severe blow, but I hope will come too late to affect the politics of the United Provinces. In the United States it will, I hope, have no other effect than to urge us to greater exertions, and a reliance upon our own strength rather than on foreign aid. You will be pleased to furnish me with the most minute details of every step that Britain may take towards a negociation for a general or partial peace.

I am, sir, with great respect,

ROBERT R. LIVINGSTON.

## Livingston to Franklin.\*

PHILADELPHIA, *May* 30, 1782.

DEAR SIR: Since my last, of the 22d instant, I have been honored with yours of the 30th of March, together with the letter from Mr. Adams to you enclosed, and the papers, for which I am extremely obliged to you.

I am not at all disappointed at the manner in which the British administration have declared their wish for peace, or at the reluctance they show in parting with this country. To a proud nation the loss of three million subjects is mortifying. Every journeyman weaver in every petty village in England conceived himself a sovereign, even while working for the slaves of his supposed subjects. It requires a degree of magnanimity, of which they are incapable, to surrender with dignity what they are no longer able to hold. But they must suppose the politics of the rest of the world to move upon weaker principles than their own, if they imagine the offers they propose to hold out to the belligerent powers will detach them from their alliance with each other till all the objects of it are attained. Of what avail would the cessions they made in the West Indies be to France if we were again connected with England? What security would she have for those cessions, or even for the rest of her islands? What she has offered to Spain I know not. To us she has offered nothing, as I have yet heard, but her friendship and the blessings of her government. A seven years' enmity has taught us to put very little value on the first, and the present happiness of the people of England and Ireland has enabled us to form a just estimate of the last.

I have told you that we have nothing to apprehend here from the offers of Britain. I have had no reason since to change that opinion. The way, however, to put it out of doubt is to enable us to expel the enemy from this continent. The task is not difficult, and the object is sufficiently important not to let it depend upon other operations.

I am instructed to prepare a memorial to the court of Versailles on the subject of the prize money due to Paul Jones and the officers and men that sailed under his command. Continual complaints are made on that subject. Surely M. de Chaumont has had sufficient time to settle this business. I must beg the favor of you to press it, and to draw and present a memorial to the court, if it can not otherwise be accomplished. Mr. Barclay will have orders to receive the money for them. I enclose an extract of a letter from Captain Jones on the subject, together with the list of the ships and their force, agreeable to which the division should be made.

I also send his account of the detention of the brigantine *Berkenbosch*, together with a copy of De Nief's certificate that the property belonged to British owners. This, I think at first view, is sufficient justification

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 259, with verbal changes.

of his conduct, and I hope will be deemed satisfactory, especially when it is considered that our courts are open for a further prosecution of the inquiry, if any injury has been unjustly sustained. I shall take the earliest opportunity to inquire into the other cases you mention. If I am rightly informed, the insult to the court of Norway is already avenged, the vessels, which are said to have committed it, having been lost at sea. This puts a stop to any further inquiry about it. I shall, however, endeavor to get this fact more fully ascertained and write to you again. I should be glad to know on what principle these applications are made to the court of France. If the powers, who suppose themselves injured, consider us as the subjects of Great Britain, they should carry their complaints to the court of St. James'. If they consider us independent of them, they should address themselves to us or to you directly.

I am very happy to find you have not lost sight of the prizes detained by the Danish court, and that you so happily availed yourself of the opportunity they afforded you to renew your application. This object ought to be pushed, not so much on account of the value of the vessels, as to show that we know what is due to *ourselves*.

Enclosed is a resolution of Congress on the subject of accounts, which you will be pleased to take the earliest opportunity to carry into execution.

You draw an agreeable picture of the French court and their favorable dispositions. They stand very high in the esteem of this country; and though we sometimes entertain the hope of repaying by our commerce and alliance the friendship they have shown us, we are not on that account the less sensible of our obligation to them. The distrust and jealousies, which secret enemies have endeavored to excite, have died away. One successful exertion in our favor will secure to them forever the affections of this country. I take an interest in the happiness of the Marquis de la Fayette, which makes me learn with great pleasure the reception he has met with. No man is more worthy of the esteem he enjoys, both at home and here. I have forborne to write to him for some time, in expectation that he was on his way. The same reasons restrain me now. Should any extraordinary event have detained him, you will be so obliging as to mention this as my apology. I am charmed with your idea of a medal to perpetuate the memory of York and Saratoga. The thought is simple, elegant, and strikingly expressive of the subject. I can not, however, but flatter myself, that before it can be executed, your Hercules will have tasked your invention for a new emblem.

I enclose a number of letters that have passed between Generals Washington, Clinton, Robinson, and Sir Guy Carleton, chiefly on the subject of Captain Huddy, who, having been taken prisoner and confined some time at New York, was carried by a Captain Lippincott and a party of soldiers to the Jersey shore, and there hanged without the *least pretence*. You will see an account of the whole transaction in



some of the papers I sent. The General, in pursuance of his determination, has ordered the lot to be cast among the British captains. It has fallen upon the honorable Captain Asgill, of the Guards, who is now on his way to camp.\* A friend of his, Captain Ludlow, is gone to New York to see if anything can be done to save him. It is really a melancholy case, but the repeated cruelties of this kind that have been practised, have rendered it absolutely necessary to execute the resolution to retaliate, which we have so often taken, and so frequently been prevented by our feelings from carrying into execution.

We are yet totally ignorant of the event of the battle fought on the 12th of April, in the West Indies, of which you will see various and contradictory accounts in our papers. You will have more certain information in Europe. Providence is taken by the Spaniards. Gillon commanded the fleet on the occasion. He yesterday came to this port with a number of the Havana vessels, for which we were in great pain.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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[Franklin's letter to Grenville of May 31, 1782, is given *infra* in Franklin's Journal, under date of July 1, 1782.]

Morris to the President of Congress.†

OFFICE OF FINANCE, *May* 31, 1782.

SIR: I perceive that on the 29th instant Congress resolved "that the salaries and allowances to which the public servants of the United States are, or shall be entitled, be in future paid by the Superintendent

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\* The Asgill case was several times dramatised in France, the *dramatis personæ* being Asgill himself, Lady or Madame Asgill, and the main incidents being the condemnation of Asgill, Washington sternly refusing to interfere with the process of the law, but ultimately yielding to the intercession of Vergennes. The titles of the plays thus constructed are given in Balch's *Français en Amérique*, 55. Among them are "Asgill, ou l'Orphelin de Pennsylvanie, mélodrame en un acte et en prose mêlé d'ariettes, par B. J. Marsollier, musique de Delayrac. Asgill, drame en cinq actes, en prose, dédié à Mme. Asgill, par J. S. le Barbier le jeune, à Londres et à Paris, 1785. To this is appended a letter of acknowledgment, signed Thérèse Asgill. Washington is exhibited as deploring the cruel necessity which compels him to execute Asgill, whom he embraces in his arms "avec un enthousiasme comico dramatique." The part of "Washington" was taken by Saint-Prix; he was attended by his two lieutenant-generals, "Lincol" and "Macdal;" Johnson, the English envoy, is called "Joston;" while "Washington's" step-mother appears on the stage.

For further correspondence on this case see *infra*, Livingston to Franklin, June 23, 1782; Franklin to Oswald, July 28, 1782; Vergennes to Washington, July 29, 1782; Washington to Luzerne, Oct. 25, 1782; Luzerne to Carleton, Nov. 9, 1782; Luzerne to Washington, Nov. 12, 1782; Washington to Asgill, Nov. 13, 1782; Washington to Vergennes, Nov. 21, 1782.

For memoirs of Lady Harnet Acland, see *Ann. Reg.* for 1780, Part II, 64; same work for 1783, 241.

Other papers will be found in 1 Ross' Cornwallis, 127.

† MSS. Dep. of State; 6 Sparks' *Dip. Rev. Corr.*, 482, with verbal change.

of Finance out of the moneys which shall from time to time be in his hands, and that the said public servants be authorized to make quarterly drafts on him for that purpose." The tenor of this resolution would, I believe, give to every officer of the United States, both civil and military, the right of drawing upon me, which would be liable to this objection, among many others, that I should frequently be obliged to protest the bills for want of funds to discharge them. If, therefore, the object of the resolution was to provide for the foreign servants only, it might, perhaps, be proper to make some alteration in the terms.

But I would submit to Congress whether a better mode might not be devised for payment of the salaries in question. It will tend greatly to simplify the public accounts if those of each department be brought under one separate head, whereas if bills are to be drawn by every public officer much confusion would be introduced, and forged bills might be paid without a possibility of detecting the forgery. The present mode which I have adopted is that the accounts of each department of the civil list be made up and settled at the treasury quarterly, and that a warrant issue for the amount. If this mode be pursued with respect to the Department of Foreign Affairs, the moneys may be remitted to those who are abroad by the Secretary of Foreign Affairs, until they shall have appointed their respective agents to receive it from him here. This will not only simplify the accounts but be of great use to the parties, because in some cases they may be unable to sell their bills on this country at all, and in others they must suffer a considerable loss. And if obliged to send such drafts on their own account to obtain payment of their salaries, much time may be lost by delay in tedious passages and other accidents, and of course they will be exposed unnecessarily to inconveniences and disappointments.

I am, sir, &c.,

ROBERT MORRIS.

**Secret Journals of Congress—Fidelity to French Alliance.\***

MAY 31, 1782.

On a report of a committee, consisting of Mr. Madison, Mr. Clark, and Mr. Wharton, to whom was referred the foregoing verbal communication of the honorable the minister plenipotentiary of France to the Secretary for Foreign Affairs:

*Resolved*, That the Secretary for Foreign Affairs acquaint the minister plenipotentiary of France, that the signal proofs of inviolable constancy to his engagements, given by his most Christian majesty in the answer to the attempts of the British courts to seduce him into a separate peace, has been received by Congress with the sentiments with which it ought naturally to inspire faithful and affectionate allies, and entirely corre-

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\*MSS. Dep. of State.

sponds with the expectations which the magnanimity and good faith of his past conduct had established. That Congress embrace with particular satisfaction this occasion of renewing to his most Christian majesty the assurances which they have so often and so sincerely repeated, of a reciprocal and equal resolution to adhere in every event to the principles of the alliance, and to hearken to no propositions of peace which are not perfectly conformable thereto. That the insidious steps which the court of London is pursuing render it improbable that any propositions conformable to those principles will be made to the United States; but that in case such propositions should be made Congress will not depart from the measures which they have heretofore taken for preventing delay and for conducting the discussions of them in confidence and in concert with his most Christian majesty: And that as Congress observe, with the warmest approbation, the purpose of his most Christian majesty to oppose to the false appearance of peace held out by Great Britain those redoubled efforts which may render her sincerely disposed to it, so his majesty may be persuaded that they are no less impressed with the necessity of such concurrent exertions on the part of the United States as may frustrate the views of the common enemy in the new system which their policy seems to have adopted on this continent.

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Fox to Thomas Grenville.\*

ST. JAMES'S, *May 31, 1782.*

DEAR GRENVILLE: I have only time to write a line to tell you that I have received your letter by Gregson, and also that by the post containing the letters that passed between M. de Vergennes and you. I do not choose to tell you anything more of my opinion by this conveyance than that all you have done is perfectly and exactly right, and that his majesty is of the same opinion.

Rolle moved yesterday and Rosewarne seconded a sort of censure on the recall of Rodney, and Lord North made such a figure as made even his enemies pity him; he showed such a desire to support the motion, without daring to do it, as was perfectly ridiculous. Adieu!

Yours, ever affectionately,

C. J. F.

We are all surprised at your not knowing the great news on the 24th, which was the date of your letter by Gregson. Every account from Ireland is pleasant to the greatest degree.

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\* 1 Buckingham Mem., 33.

Dumas to Livingston.\*

THE HAGUE, *June 1, 1782.*

SIR: My last was of the 10th of May. Since that time I have been constantly occupied with the French ambassador and the good patriots of this country in counteracting the pretended mediators for a separate peace between Great Britain and this republic; and we have so far succeeded that Holland has adopted a good resolution in relation to it, which is all ready and which will nearly destroy this manœuvre of the Anglo-manes. On the 21st and 22d of May I made, at the request of the ambassador, a journey to Dort, where was ready a sketch of a resolution (since matured and perfected) of which I at the time made a translation for the ambassador. We shall see the effect this will have.

I know that one of the principal ministers of the republic on the good will of whom we begin to rely a little more than formerly, has declared that he has in his pocket the full proofs of the intention of the British ministry to amuse and deceive the republic, which I hope to see soon irrevocably pledged not to make a peace except in conjunction with the three other belligerent powers. I can not explain myself more at present. If it were not for the disaster of De Grasse, in the West Indies, which delays our progress a little, we should be already more advanced.

JUNE 18.

The above-mentioned resolution, although printed on the 5th, was not finally decreed by the states of Holland till the 12th instant, with some changes; after which they separated, not to come together again for about three weeks. In this interval the cities will have examined the report of the admiralty on the treaty of amity and commerce between the United States and this republic; and I am assured that this treaty will be brought to a conclusion at the first sitting. There will be a question also at that time on the nomination of a minister of this republic to reside near Congress, the prince having declared his willingness to propose it to the same assembly.

I accompanied Mr. Adams yesterday morning to an audience with the prince at the Chateau du Bois, and he supped there the same day with prince, the princess, and many foreign ministers. The stay of Grenville at Paris and his pretended instructions to negotiate peace have all the air of being only a trick of the court of London, and I think it will require one more campaign to bring them to talk seriously of a general peace, or rather to ripen the revolution or civil war which has appeared to me for a long time springing up in their bosom, and which will bring about finally the catastrophe of this great tragedy. May the catastrophe be only fatal to the authors of the evil, and turn to the happiness of the human race in general, and especially to that of the United States.

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\* 5 Sparks' Dip. Rev. Corr., 351.

JUNE 20.

The ambassador has informed us that the combined fleet departed from Cadiz the 4th instant, and in great confidence that Mr. Grenville, who is at Paris, has received from his court full powers more ample to treat with all the belligerents. This is well if his powers are explicit and sincere. But to trust to them it seems necessary that the British court should declare that it recognises the United States for a belligerent power, otherwise it will be a proteus; it will escape from us when we think to hold it, and will pretend to do us a great favor by condescending to a truce, which would be more pernicious to America than the war. It would draw on the United States a host of evils. It would leave, in the opinion of all the world, not excepting your allies and yourselves, an idea of the uncertainty of your independence, which would never be effectual, and derogate, by consequence, explicitly from the 2d, 3d, 8th, and 9th articles of your treaty of alliance with France, so justly admired; would degrade your power, your credit, your dignity; would open the door to distrust, to dissensions, to corruption and treachery among yourselves, to combinations against you in Europe; would put you under the necessity of keeping a standing army, &c., &c., &c. God preserve the United States from this Pandora's box! If ever Congress could have had a thought in the most difficult times, to have recourse to this dangerous palliative of the evils of war, the present moment should inspire it with one very different, which will infallibly bring to terms an enemy fatigued, exhausted, and ruined, and will assure to the United States, with peace, the respect, the regard, and friendship of all powers. An unbounded solicitude for the safety, the prosperity, and glory of the United States will serve, I hope, as an apology for the boldness with which I dare to expose here my sentiments to Congress, of whose firmness and magnanimity, as well as those of its ministers, I have an idea, as great in proportion, as my opinion of the intentions of the enemy and of its favorers is small.

The Academy of Franequer, in Friesland, has caused to be exhibited, on occasion of a celebration in honor of the connection between the United States and this republic, beautiful fireworks, with an illumination. On a triumphal arch you may read this distich:

Plus valet una dies, quæ libera ducitur, acta,  
Quam mali sub domini sæcula mille jugo.

There has been struck at Leuwarde, in Friesland, to perpetuate the same event, and all that was resolved in their provincial diets of February and April last, a medal representing a Frieslander stretching out his right hand to an American in token of fraternity, and rejecting with his left the advances made to him by an Englishman. We are invited to dinner on Sunday by the French ambassador, who augurs better than we do of Grenville's mission. God grant that he may be right.

I have the honor to be, &c.,

DUMAS.

Morris to Olney.\*

OFFICE OF FINANCE, *June 1, 1782.*

SIR: I have received your favor of the 13th of May last, enclosing an account of moneys you had received. The particular details you have entered into are a pleasing circumstance to me, as they show your accuracy and attention; but as such returns will consume much time and be of no correspondent utility, it will not be necessary to continue them; but in general, state to me the amount of cash received, the amount of cash exchanged, the amount of cash in hand, the amount of bank notes in hand, and the amount of my notes in hand.

It would be of great use to the State that the special account of the money received from each collector should be published; and when they place you in the situation required by Congress, it will form a part of your duty. In the interim you had better avoid any discussion on the subject, which may lead to disagreeable altercation. If the sum total received from each collector were published, in order to render the system complete, it would be proper that every such collector should be obliged to deposit in some place within the circle of his collection such account of his receipts, *for the public inspection*, that every man might see whether the moneys he had paid were fairly delivered over.

You will do well to explain this whole system to men of discernment in your legislature. My object in this branch of administration is to enable each individual man to trace the money he pays from his own pocket into the public treasury. To this I shall add accounts of equal notoriety, by which every man who can read (being previously informed as above of the sum total of receipts) may perceive the manner in which the public treasure is expended and appropriated. A similar line of conduct will be pursued with respect to all funds which may be granted for liquidation of the national debt.

Finally, when all the world can perceive that our revenue is equal to our expenditure, and that new revenues are devising, and the old daily placing in a better state of collection, our credit will be firmly established; that will enable the public to command money in any emergency, both at home and abroad; that again will put us in a situation to make active, vigorous exertions, and thus we shall come to be beloved by our friends, feared by our enemies, and respected by all mankind. In this natural progress and order of things I must expect of the several States, as the servant of the United States, a revenue ample in its extent, punctual in the payment, and absolutely at my disposition. In return for such grants the States are to expect from a superintendent of finance, vigilance, integrity, order, and economy. Should he be deficient in these duties he will deserve to be removed and punished. Should the States be deficient they must allow him to



complain, they must expect him to remonstrate, and finally they must not be surprised if their negligence, boding ruin to their country, be pointed out, and exposed, and reprehended.

Your most obedient, &c.,

ROBERT MORRIS.

[Franklin's letter to Adams of June 2, 1782, is given *infra* in Franklin's journal, under date of July 1, 1782.]

Beaumarchais to Morris.\*

[Translation.]

PARIS, *June 3, 1782.*

SIR: The health of poor Francy not yet permitting him to hazard another voyage to America, I find myself obliged (to my very great loss and regret) to postpone the hope of closing and settling all my accounts with the general Congress until he shall have recovered sufficient strength for his voyage; he alone being able to resume the thread and instructions of an affair which he has already pursued with so much assiduity during three years.

From one merchant to another the extract of the account adjusted in France by the persons authorised, who has ordered and vouched all my advances, and which I have the honor herewith to address to you, would be sufficient for the entire settlement of my account; but my business lies with an association of United States, who have intrusted the administration of their most valuable interests to an assembly of citizens, to a general Congress, the members of which are continually changed, and as continually liable to view transactions of the oldest date, and those which have been most thoroughly investigated at other times, with the same uncertainty and ignorance of circumstances as if they were new events. From whence arises the necessity of causing my accounts to be adjusted and settled by the same agent, who has already presented and discussed them agreeably to the vouchers in his possession; which M. de Francy will do as soon as his health will permit him to undertake a voyage at sea.

In the mean time, sir, I have the honor to address to you a faithful abstract of my accounts as they have been settled by Mr. Deane, with whom alone, on behalf of the general Congress, I treated. His misfortunes, the malice with which his character, naturally mild and uniform, has been aspersed, and the complaints which I have heard in this country against certain of his writings (of which I have not yet seen any), since the English papers made them public, have not changed the opinion I had formed of him; and I will always do him the justice to say, that he is one of those men who have contributed most to the alliance of France with the United States. I will even add, that his laudable

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\* 6 Sparks' Dip. Rev. Corr., 485.

endeavors in the most difficult times merited, perhaps, another recompense. I see there are intrigues *among Republicans as well as in the courts of kings*. This digression (which a compassionate feeling for a man worthy of a better lot forces from me in writing to you, to you, sir, who have loved him as I do), this digression excused, I resume my affair; and I request of you, sir, to engage Congress to assist me by the very first opportunity, with bills of exchange, such as the first which I received in 1779. Though they are not yet payable, and though I have been obliged to undergo the heaviest losses in order to make them serviceable, I can not support the weighty burden of my credit to America (with which alone I should be able to settle my debts in Europe) without having, at least, an object representative of this said credit in my hands. And neither the Congress nor I should look too minutely to the losses that I sustain in the negociation of this paper. It is one of the events, one of the indispensable consequences of the nature and situation of things. Have then the justice, sir, to remit to me as speedily as possible, if not the whole of my account, at least a large part of what is due to me by Congress in bills of exchange, reserving what may be objected to in the account and its full proof, until Francy may be able to repair to Philadelphia. My very embarrassed situation will cause me to receive this strict justice from Congress as a favor, and I shall be under the greatest obligation to you for it.

Receive, sir, all my congratulations on the merited confidence which your fellow-citizens have placed in you. No man can entertain a greater esteem for your person and superior talents than I do. Messrs. De Francy and Deane have taught me to become acquainted with you; and it is after the most deliberate affection that I subscribe myself, with the most respectful regard and acknowledgment, sir, your obedient servant,  
CARON DE BEAUMARCHAIS.

THE FOLLOWING ARE THE ABSTRACTS MENTIONED IN THE PRECEDING LETTER.

*Dr. the honorable Congress of the United States in account current with Caron de Beaumarchais.*

1776.		Livres s. d.
Sept. 21.	To so much paid Messrs. Du Coudray & Le Brun .....	3, 600
Oct. 25.	To ditto paid ditto.....	4, 400
Nov. 6.	To ditto paid ditto.....	7, 200
Nov. 12.	To ditto paid Mr. Silas Deane.....	20,000
“ 18.	To ditto paid Messrs. Du Coudray & Le Brun.....	12,000
“ 21.	To ditto paid ditto .....	12,000
“ 25.	To ditto paid the Chevalier Prudhomme de Bore.....	2,400
“ 27.	To ditto paid ditto .....	2,100
Dec. 4.	To ditto paid Messrs. Du Coudray & Le Brun.....	53,541 13 4
“ 5.	To ditto paid ditto.....	4,800
“ “	To ditto paid Mr. Silas Deane.....	2,400
“ 6.	To ditto paid M. de Vrigny .....	600
“ 12.	To ditto paid Mr. Rogers.....	240
“ 13.	To amount of the cargo and expenses to departure of the ship <i>Amphitrite</i> , insurance, freight, and commission on the outfit .....	979,493 8 3

		Livres	s.	d.
1776.				
Dec. 14.	To so much paid M. de Goy .....	240		
" 26.	To ditto reimbursed to M. de Monthieu, per Silas Deane .....	411	16	
" "	To commission at 1 per cent. on the above payments made to Mr. Deane.....	228	1	
1777.				
Jan. 15.	To amount of the ship <i>Seine</i> , her cargo, charges to departure, insurance, freight, and commission on the outfit .....	784,631	2	10
Feb. 5.	To amount of the cargo and charges to the departure of the ship <i>Mercury</i> , insurance, freight, and commission on the outfit .....	878,758	13	
" 15.	To ditto of the ship <i>Amelia</i> .....	241,068	15	3
" 27.	To so much paid M. de Goy .....	800		
" "	To commission at 1 per cent. on the several payments as above made to Messrs. Du Coudray, Le Brun, and others...	1,039	4	
May 10.	To amount of the cargo and expenses to the departure of the ship <i>Teresia</i> , insurance, freight, and commission on the outfit .....	1,062,853	17	6
" 15.	To ditto of the ship <i>Mere Bobi</i> .....	89,460	1	
June 10.	To ditto of the ship <i>Maria Catherina</i> .....	166,217	6	3
Sept. 25.	To ditto of the ship <i>Flamand</i> .....	630,195	14	
Nov. 26.	To ditto of an account of expenses incurred at St. Domingue, by M. Carabasse, relative to the cargoes of the ships <i>Teresia</i> and <i>Amelia</i> .....	122,882	7	3
1778.				
May 27.	To amount of a second account ditto .....	23,037	11	10
1781.				
April 6.	To commission at $\frac{1}{4}$ per cent on 25,000 } 30,000 } = 199,000 in bills on Paris..... 144,000 }	995		
" "	To amount of the account of interest at 6 per cent. per annum, as particularized hereafter .....	1,167,250		
		Livres, 6,274,844 11 6		

## Contra Cr.

		Livres	s.	d.
1777.				
Aug. 23.	By net proceeds of the returned cargo of the <i>Mercury</i> .....	18,728	7	
1778.				
Feb. 27.	By ditto, ditto of the <i>Amphitrite</i> .....	135,338	8	9
April 17.	By remittance to Mr. Francy of \$20,000 at 4 for 1 is, at 5 livres Tournois for a dollar .....	25,000		
May 26.	By ditto of \$24,000 at ditto ditto .....	30,000		
Oct. 22.	By net proceeds of the returned cargo of the <i>Teresia</i> .....	124,139	9	6
1779.				
May 5.	By ditto of the <i>Amelia</i> , passed on memorandum, waiting the final of accounts of M. Carabasse, the shipper in this affair.			
June 26.	By net proceeds of 231 hogsheads tobacco per the <i>Fier Rodrigue</i> , reduced to 115½ on account of the freight being one-half .....	74,905	3	9

1780.

June 25. By remittances on Dr. Franklin to the 15th of June, 1780, viz.,

74,000 }  
72,000 }

= 144,000\*

Livres s. d.

1781.

April 6. By balance due to me from the honorable Congress.....

5,722,723 2 6

Livres, 6,274,844 11 6

Errors and omissions excepted.  
PARIS, April 6, 1781.

Dr. the honorable Congress in their new account current with Caron de Beaumarchais.

1781.

April 6. To balance due to me on the preceding account .....

5,722,723 2 6

1782.

May 18. To commission at  $\frac{1}{2}$  per cent. on 144,000 and 2,544,000, making  
2,688,000, in bills on Paris .....

13,440

" " To amount of interest account at 6 per cent. per annum, as  
particularized hereafter .....

382,698 18

" " To commission at  $2\frac{1}{2}$  per cent. to M. de Francy on the returns  
from America, viz.,  
On 552,121 9, amount of the returns to the credit of their  
account settled the 6th of April, 1781,  
2,882,332 10 9, amount of the returns to the credit of the  
account settled this day,  
3,434,453 19 9 at  $2\frac{1}{2}$  per cent.....

85,861 6

Livres, 6,204,723 6 6

Contra Cr.

1781.

June 25. By remittances on Dr. Franklin to the 25th of June, 1781.

144, 000

July 20. By net proceeds of 150 hhds. tobacco per the ship *P'aru*,  
reduced to 75, on account of the freight being one-half.

34, 991 19

" " By ditto of 176 hhds. tobacco per the *Two Helenas*, reduced  
to 88 by the freight.....

49, 826 19

" " By ditto of 32 hhds. ditto per *Good Man Richard*, reduced  
to 16 by the freight .....

6, 141 5

" " By ditto of 183 hhds. ditto per the *Polly*, reduced to  $125\frac{1}{2}$ ,  
the freight being one-third.....

55, 872 14 9

Oct. 1. By ditto of 159 hhds. ditto per *Fier Rodrigue*, reduced to  
 $79\frac{1}{2}$  by the freight at one-half.....

47, 499 13

" " By 15 hhds. ditto per the *Jean*, and which were lost, this  
vessel having foundered at sea, (for memorandum.)

1782.

May 18. By remittances on Dr. Franklin to the 25th of June, 1782,  
passed here in anticipation, amounting to .....

2, 544, 000

" " By balance due to me from the honorable Congress.....

3, 322, 390 15 9

Livres, 6, 204, 723 6 6

Dr. the honorable Congress

1782.

May 18. To balance due to me on the above account .....

3, 322, 390 15 9

\* There appears to be an error in adding up this sum, viz., 74,000 and 72,000 amount to 146,000.

Closed the above account, as well debit as credit, of the sum of six millions two hundred and four thousand seven hundred and twenty-three livres, six sols, and six deniers Tournois; on which the honorable Congress of the United States of America owe me as balance the sum of three millions three hundred and twenty-two thousand three hundred and ninety livres, fifteen sols, and nine deniers Tournois.

*Dr., moreover, the honorable Congress.*

To amount of the drafts of General Lincoln, drawn at Charleston, in the month of March, 1780, on Samuel Huntington, President of Congress, to the order of M. de Francy, for the purchase of the cargo of the corvette *The Zephyr* sold by Captain Mainville to the said General Lincoln, commander of the southern army of the United States, for the sum of two hundred and twenty-four thousand three hundred dollars, (this for *memorandum*,) for which two hundred and twenty-four thousand three hundred dollars I am yet to be credited, no return having been made to me.

Errors and omissions excepted.

CARON DE BEAUMARCHAIS.

PARIS, *May* 18, 1782.

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Morris to Washington.\*

OFFICE OF FINANCE, *June* 4, 1782.

SIR: I have received your excellency's letters of the 17th and 25th of May with the enclosure. I am much obliged by the attention paid in your circular letter to the situation of my department. I am very sorry to inform you that it is really deplorable. I with difficulty am enabled to perform my engagements, and am absolutely precluded from forming any new ones. I have, therefore, been under the very disagreeable necessity of suffering the public service to stand still in more lines than one. I have been driven to the greatest shifts, and am at this moment unable to provide for the civil list.

I can easily suppose that military men should murmur to find the salaries of the civil list more punctually paid than their own. To enter into arguments on this occasion will be unnecessary, for I am persuaded that your excellency must be of opinion with me that unless the civil list is paid neither civil nor military can exist at all.

I am well persuaded of your excellency's desire to promote the success of those measures I have taken, because I am sure you are convinced that their tendency and my intentions are all directed to the public good. Indeed, my dear sir, you will hardly be able to form an adequate idea of the earnestness with which I desire to relieve you from the anxieties you must undergo. But when the several gazettes shall have announced the sums received for this year's service, and I am well convinced that the whole did not, on the 1st of June, amount to twenty thousand dollars; when it is recollected that our expenses, at the rate of eight millions annually, are near twenty thousand dollars a day; and when it is known that the estimates on which the demand was founded do not include many essential branches, among which the

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\* 6 Sparks' Dip. Rev. Corr., 490.

marine and foreign affairs are to be numbered ; surely it can not be a matter of surprise that the army are not paid ; surely the blame is to fall on those from whose negligence the evil originates. But I will not give you the pain of hearing me repeat complaints which you know to be but too well founded.

I pray you to believe that I am, sir, &c.,

ROBERT MORRIS.

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Thomas Grenville to Fox.\*

PARIS, *June 4, 1782.*

DEAR CHARLES : The *public* letter which I sent to you by Lauzun, is, as you will see, of no other use than that of accounting for his journey, and enabling him to carry to you this *private* one, of which I had once almost determined to be myself the bearer ; an apprehension, however, that so sudden an arrival might be embarrassing to you, has decided me not to take that step, till I had explained to you my reasons for wishing to do so, though I should not care to write them, except in the full confidence that they will be seen by no person whatever but yourself. Recollect always that this letter is written in that confidence, and I am sure I can never repent of having sent it. You will easily see from the tenor of the correspondence we have hitherto had, that what little use I could be of to you here, appeared to me to be in the communication that I had with Franklin. I considered the rest of the negotiation as dependent upon that, and the only possible immediate advantages which were to be expected, seemed to me to rest in the jealousy which the French court would entertain of not being thoroughly supported in everything by America. The degree of confidence which Franklin seemed inclined to place in me, and which he expressed to me more than once in the strongest terms, very much favored this idea, and encouraged me in wishing to learn from him what might be in future ground for a partial connection between England and America ; I say in future, because I have hitherto never much believed in any treaty of the year 1782, and my expectation, even from the strongest of Franklin's expressions, was not of an immediate turn in our favor, or any positive advantage from the commissioners in Europe, till the people in America should cry out to them, from seeing that England was meeting their wishes. It was in this light, too, that I saw room to hope for some good effects from a voluntary offer of unconditional independence to America, a chance which looked the more tempting, as I own I considered the sacrifice as but a small one, and such as had I been an American, I had thought myself little obliged to Great Britain in this moment for granting, except from an idea that if it was an article of treaty, it would have been as much given by France as

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\* 1 Buckingham Memoirs, 33.



by England. I repeat this only to remind you that from these considerations, the whole of my attention has been given to Franklin, and that I should have considered myself losing my time here, if it had not been directed to that subject.

I believe I told you in my last that I had very sanguine expectations of Franklin's being inclined to speak out when I should see him next; indeed, he expressly told me that he would think over all the points likely to establish a solid reconciliation between England and America, and that he would write his mind upon them, in order that we might examine them together more in order; confiding as he said, in me, that I would not state them as propositions from him, but as being my own ideas of what would be useful to both countries. (I interrupt myself here to remind you of the obligation I must put you under not to mention this.) For this very interesting communication, which I had long labored to get, he fixed the fourth day, which was last Saturday; but, on Friday morning, Mr. Oswald came, and having given me your letters, he went immediately to Franklin to carry some to him. I kept my appointment at Passy the next morning, and in order to give Franklin the greatest confidence, and at the same time, too, not knowing how much Mr. Oswald might have told him, I began with saying that, though under the difficulty which M. de Ve. and he himself had made to my full power, it was not the moment as a politician, perhaps, to make further explanations till that difficulty should be relieved; yet, to show him the confidence I put in him, I would begin by telling him that I was authorized to offer the independence in the first instance instead of making it an article of general treaty. He expressed great satisfaction at this, especially, he said, because, by having done otherwise, we should have seemed to have considered America as in the same degree of connection with France which she had been under with us; whereas America wished to be considered as a power, free and clear, to all the world. But, when I came to lead the discourse to the subject which he had promised four days before, I was a good deal mortified to find him put it off altogether till he should be more ready; and, notwithstanding my reminding him of his promise, he only answered that it should be in some days. What passed between Mr. Oswald and me will explain to you the reason of this disappointment.

Mr. Oswald told me that Lord Shelburne had proposed to him when last in England to take a commission to treat with the American ministers; that upon his mentioning it to Franklin now it seemed perfectly agreeable to him and even to be what he had very much wished; Mr. Oswald adding that he wished only to assist the business, and had no other view; he mixed with this a few regrets that there should be any difference between the two offices; and when I asked upon what subject, he said owing to the Rockingham party being too ready to give up everything.

You will observe, though, for it is on that account that I give you

this narrative, that this intended appointment has effectually stopped Franklin's mouth to me, and that when he is told that Mr. Oswald is to be the commissioner to treat with him it is but natural that he should reserve his confidence for the quarter so pointed out to him; nor does this secret seem only known to Franklin, as La Fayette said, laughing, yesterday that he had just left *Lord Shelburne's ambassador* at Passy. Indeed, this is not the first moment of a separate and private negotiation; for Mr. Oswald, suspecting, by something that I dropped, that Franklin had talked to me about Canada (though, by the by, he never had), told me this circumstance, as follows: When he was in England, the last time but one, he carried with him a paper, entrusted to him by Franklin, under condition that it should be shown only to Lord Shelburne, and returned into his own hands at Passy. This paper, under the title of "Notes of a Conversation," contained an idea of Canada being spontaneously ceded by England to the thirteen provinces in order that Congress might sell the unappropriated lands and make a fund thereby in order to compensate the damages done by the English army, and even those sustained, too, by the royalists. This paper, given with many precautions, for fear of its being known to the French court, to whom it was supposed not to be agreeable, Mr. Oswald showed to Lord Shelburne, who, after keeping it a day, as Mr. Oswald supposes to show to the king, returned it to him, and it was by him brought back to Franklin.

I say nothing to the proposition itself, to the impolicy of bringing a strange neighborhood to the Newfoundland fishery, or to the little reason that England would naturally see in having lost thirteen provinces to give away a fourteenth, but I mention it to show you an early trace of separate negotiation, which perhaps you did not know before. Under these circumstances I felt very much tempted to go over and explain them to you *viva voce* rather than by letter, and, I must say, with the further intention of suggesting to you the only idea that seems likely to answer your purpose, and it is this: The Spanish ambassador will in a day or two have the powers from his court; the Americans are here, so are the French. Why should you not consider this, then, as a congress in full form, and send here a person of rank, such as Lord Fitzwilliam, if he would come, so as to have the whole negotiation in the hands of one person? You would by that means recover within your compass the essential part which is now out of it; nor do I see how Lord Shelburne could object to such an appointment, which would in every respect very much facilitate the business. Let me press this a little strongly to you for another reason. You may depend upon it people here have already got an idea of a difference between the two offices, and consider how much that idea will be assisted by the embarrassments arising from two people negotiating to the same purpose but under different, and differing authorities, concealing and disguising from each other what with the best intentions they could hardly make known and common

enough to each. I am almost afraid of pressing this as strongly as I should for fear you should think me writing peevishly; but if I did not state the thing to you in the situation in which I see it I should think I was betraying your interests instead of giving attention to them. I must entreat you very earnestly to consider this, to see the impossibility of my assisting you under this contrariety, to see how much the business itself will suffer if carried on with the jealousy of these clashing interests, and to see whether it may not all be prevented by some such single appointment in high rank as that I mentioned; *au reste*, I can not but say that I feel much easier with the hope of making over what remains of this business. I begin to feel it weighty, and you know how much I dislike the *publicity* you packed off to me in that confounded silver box; I could not bring myself to say anything civil about it in my last letter, and you ought to give me credit for great self-denial in not taking this opportunity of telling you my own story at the secretary's office, as nothing but the embarrassment it might give you upon the sudden prevented me. Once more I tell you I can not fight a daily battle with Mr. Oswald and *his secretary*; it would be neither for the advantage of the business, for your interest, or your credit or mine; and even if it was, I could not do it.

Concluding, then, the American business as out of the question, which *personally* I can not be sorry for, you surely have but one of two things to do, either to adopt the proposition of a new *dignified* peer's appointment, which, being single, may bring back the business to you by comprehending it all in one, or Lord Shelburne must have his minister here, and Mr. Fox his; by doing which, Mr. Fox will be pretty near as much out of the secret, at least of what is most essential, as if he had nobody here; and the only real gainers by it will be the other ministers, who cannot fail to profit of such a jumble. Besides which, upon this latter part of the subject, I must very seriously entreat you not to ask me to keep a situation here in no circumstances pleasant and in none less so than those I have described. The grievance is a very essential one; the remedy is Lord Fitzwilliam.

Adieu. I recommend to Lauzun to make all the haste he can, as I shall not stir a step till you answer this letter, and my step then will, I hope, be towards you. Sheridan's letter of suspicion was written, as you see, in the spirit of prophecy. I owe him an answer, which, by word of mouth or word of letter, he shall have very soon. The news of the day is that the Cadiz fleet, twenty-six of the line and five French, are sailed for Brest, but I rather imagine they have no authentic account of it yet.

I enclose to you P. Guemené's offer of some good champagne; if you choose to have any, tell me what number of bottles, and let Brooks or somebody let me know how they are to be sent to England. I don't understand champagne, but this has a good character.

Adieu. Let Lord Fitzwilliam answer my letter.

Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS, *June 5, 1782.*

SIR: I have the honor to submit to Congress the enclosed letter from Mr. Lee with his accounts. As Congress were pleased to give no directions relative to the brigantine *Berkenbosch*, I presume it was the intention that I should transmit to Dr. Franklin a state of the information I had collected on that subject, which I have accordingly done. If Congress have any further commands I wish to be honored with them as soon as convenient.

I am, sir, with the highest respect, &c.,

ROBERT R. LIVINGSTON.

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Oswald to Franklin.†

PARIS, *June 5, 1782.*

SIR: While Mr. Laurens was under confinement in England he proposed that on condition of his being liberated upon his parole he would apply to you for an exchange in favor of Lord Cornwallis, by a discharge of his lordship, granted upon the surrender of his garrison at the villa of York, in Virginia; and in case of your being under any difficulty making such exchange he undertook to write to the Congress and request it of that assembly, making no doubt of obtaining a favorable answer without loss of time.

This proposal, signed by Mr. Laurens's hand, I carried and delivered I think in the month of December last, to his majesty's then secretary of state, which was duly attended to; and in consequence thereof Mr. Laurens was soon after set at full liberty. And though not a prisoner under parole, yet it is to be hoped a variation in the mode of discharge will not be supposed of any essential difference.

And with respect to Mr. Laurens, I am satisfied he will consider himself as much interested in the success of this application as if his own discharge had been obtained under the form as proposed by the representation which I delivered to the secretaries of state, and I make no doubt will sincerely join my Lord Cornwallis in an acknowledgment of your favor and good offices in granting his lordship a full discharge upon his parole above mentioned.

I have the honor to be, with much respect, sir, your most obedient humble servant,

RICHARD OSWALD.

P. S.—Major Ross has got no copy of Lord Cornwallis's parole. I says it was in the common form, as in like cases.

Since writing the above I recollect I was under a mistake, as if t

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 186.

† 2 Sparks' Dip. Rev. Corr., 262.

proposal of exchange came first from Mr. Laurens ; whereas it was made by his majesty's secretaries of state to me that Mr. Laurens should endeavor to procure the exchange of Lord Cornwallis so as to be discharged himself. Which proposal I carried to Mr. Laurens, and had from him the obligation above mentioned, upon which the mode of his discharge was settled.

R. O.

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Franklin to Oswald.\*

PASSY, *June 5, 1782.*

SIR: I received the letter you did me the honor of writing to me respecting the parole of Lord Cornwallis. You are acquainted with what I wrote some time since to Mr. Laurens. To-morrow is post day from Holland, when possibly I may receive an answer, with a paper drawn up by him for the purpose of discharging that parole, to be signed by us jointly. I suppose the staying at Paris another day will not be very inconvenient to Major Ross; and if I do not hear to-morrow from Mr. Laurens I will immediately, in compliance with your request, do what I can towards the liberation of Lord Cornwallis.

I have the honor to be, with great respect, sir, your most obedient, humble servant,

B. FRANKLIN.

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Washington to Luzerne.†

HEADQUARTERS, *June 5, 1782.*

SIR: I have the honor of conveying to your excellency the enclosed address of the officers of the American army under my immediate command on the auspicious event of the birth of a Dauphin.

Happy in this opportunity of presenting to you this united testimony of respect and veneration for your royal master, I pray you to believe that I enjoy the highest satisfaction in having such an occasion of manifesting to your excellency the very particular pleasure I feel in every event which affects the happiness of his most Christian majesty, especially in one which is so interesting and important to his domestic felicity and that of his people.

I have the honor to be, sir, &c.,

GEORGE WASHINGTON.

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\* 2 Sparks' Dip. Rev. Corr., 263; 34.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 69.

Livingston to Morris.\*

OFFICE OF FOREIGN AFFAIRS, *June 6, 1788*

SIR: I have the honor to enclose the translation of a correspondence between the Count de Vergennes and Dr. Franklin, on the subject of complaints contained in the memorial accompanying the letter to the count, a translation of which is also enclosed. You will be pleased to cause an inquiry to be made into the facts, and to favor me with such information as will enable me either to show that the complaint is ill founded, or that it will be treated with the attention it merits.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON

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Livingston to Morris.†

OFFICE OF FOREIGN AFFAIRS, *June 6, 1788*

SIR: I have the honor to enclose the translation of a letter from the minister of France to me, on the subject of an interest due on land office certificates. As this relates peculiarly to your department, I will do me the honor to enable me to return some answer to this application, which has been several times reiterated.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON

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Morris to Carrington.‡

OFFICE OF FINANCE, *June 6, 1788*

SIR: I have received your letter of the 26th of May from Richmond. It does by no means surprise me, after some other things which have happened, that an opposition is made to receiving my notes in tax. I am indifferent about the event of those deliberations which may have had on that subject. If they choose rather to tax in coin I shall be content, for the coin will answer my purposes as well as the notes, which were only intended to anticipate the revenue and supply that want of money which is not a little complained of, and particularly in Virginia. The views of those who oppose their circulation I will not guess at, I hope they may be virtuous and honorable motives, in which case I shall only pity a want of understanding to discover the true interests of their country.

I am your most obedient, &c.,

ROBERT MORRIS

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 187.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 186.

‡ 6 Sparks' Dip. Rev. Corr., 491.



Morris to Livingston.\*

OFFICE OF FINANCE, *June 7, 1782.*

SIR: I received this morning the letter you did me the honor to write on the 6th. Congress have asked from the several States a five per cent. duty on goods imported and on prizes and prize goods, as a fund for paying the principal and interest of their debts. This fund, when granted, will not be sufficient, and it is not yet granted by all. I expect, however, the requisition will speedily be complied with. I shall not cease urging it, and also such further revenues as may be sufficient for the purpose. When they shall have been obtained they will be duly applied in liquidation of the public debts; but until that period arrives neither the principal nor the interest of such debts can be paid.

I have the honor to be, with very great respect,

ROBERT MORRIS.

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Livingston to Luzerne.†

OFFICE OF FOREIGN AFFAIRS, *June 7, 1782.*

SIR: I have the honor to enclose you an account of the moneys received by Baron de Kalb and Lieutenant Colonel La Radière, as extracted from the paymaster's books. By this it will appear that both have received more than the amount of their pay, even if the depreciation is allowed. If their friends have furnished you with vouchers to account for the expenditure of still further sums upon the public account, the whole, when stated, will be liquidated at the treasury offices, and the balance paid.

I have applied to Congress for direction on the subject of the Baron de Holzendorff, though it would appear to me that, if he had received the thousand dollars directed to be paid him, there can be nothing further due to him, since the resolution itself implies that there would probably be a balance to be repaid in bills of exchange. You must see, sir, the extreme difficulty of settling these accounts, unless the gentlemen who have demands will be at the trouble of stating their accounts precisely and produce vouchers for the money which has passed through their hands. This is never dispensed with in the case of our own citizens. I shall, however, do myself the honor to lay before you the determination of Congress in this case.

I have written to Mr. Morris on the subject of the interest due on the loan-office certificates, and shall transmit to you his answer as soon as I shall receive it.

I enclose for your perusal a very extraordinary letter from Mr.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 187.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 70.

Deane to Governor Trumbull, together with his reply, which was unanimously approved by the legislature of Connecticut. You will please return them after you have read, or, if you think proper, take copies of them.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON

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Livingston to Luzerne.\*

OFFICE OF FOREIGN AFFAIRS, *June 9, 1782*

SIR: I have the honor to enclose the copy of a letter from the superintendent of finance in answer to one I wrote him on the subject of the loan-office certificates. I am sorry for the necessity which dictated it, and look forward with some degree of impatience to the period when ample justice shall be done to all the public creditors. In the meanwhile foreigners will not feel themselves hurt when we make a distinction between them and our own citizens.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON

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J. Adams to Livingston.†

AMSTERDAM, *June 9, 1782*

SIR: The admiralty have reported to their high mightinesses their remarks upon the plan of a treaty of commerce which I had the honor to lay before them, together with such additions and alterations as they propose. This report has been taken *ad referendum* by all the provinces except Overijssel, which has determined to vote as Holland shall vote, this being the principal maritime province and the other inland.

The forms of proceeding according to this constitution are so circuitous that I don't expect this treaty will be finished and signed in less than three months, though some of the most active members of the government tell me they think it may be signed in six weeks. I have not yet proposed the treaty of alliance, because I wait for the advice of the Duc de la Vauguyon. His advice will not be wanting in the season for it, for his excellency is extremely well disposed.

I have, after innumerable vexations, agreed with three houses who are well esteemed here to open a loan. The extreme scarcity of money will render it impossible to succeed to any large amount. I dare not promise anything, and can not advise Congress to draw. I shall transmit the contract for the ratification of Congress as soon as it is finished.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 70.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 616, with verbal changes.

and then I hope to be able to say at what time and for how much Congress may draw.

This nation is now very well fixed in its system, and will not make a separate peace. England is so giddy with Rodney's late success in the West Indies that I think she will renounce the idea of peace for the present. The conduct of Spain is not at all changed. This is much to be lamented on public account, and indeed on account of the feelings of my friend, Mr. Jay, for I perfectly well know the cruel torment of such a situation by experience, and I know, too, that he has done as much and as well as any man could have done in that situation.

The late President Laurens made me a visit at The Hague last week, in his way to his family in France. He informed me that he had written from Ostend to Dr. Franklin, declining to serve in the commission for peace. I had great pleasure in seeing my old friend perfectly at liberty and perfectly just in his political opinions. Neither the air of England, nor the seducing address of her inhabitants, nor the terrors of the Tower have made any change in him.

I have the honor to be, &c.,

JOHN ADAMS.

P. S.—I hope Congress will receive a collection of all the resolutions of the provinces and the petitions of the merchants, manufacturers, &c., respecting the acknowledgment of American independence and my reception as minister plenipotentiary of the United States by their high mightinesses. I shall transmit duplicates and triplicates of them as soon as health will permit. But Mr. Thaxter has been sick of a fever and myself with the influenza ever since our removal from Amsterdam to The Hague. This collection of resolutions and petitions is well worth printing together in America. It is a complete refutation of all the speculations of the small half-toryfied politicians among the Americans, and of the malevolent insinuations of Anglomane through the world against the American cause. The partizans of England, sensible of this, have taken great pains to prevent an extensive circulation of them.

J. A.

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Luzerne to Washington, and other Officers of the American Army, on Hudson's River.\*

[Translation.]

PHILADELPHIA, *June 10, 1782.*

GENTLEMEN: I shall transmit to his majesty the address you have been pleased to send me on the birth of an heir to his crown.

It will afford him infinite satisfaction to find with what joy this event

has inspired you, and he will see with pleasure that the same army which has given so many proofs of courage and patriotism, and which has in the most perfect harmony and concert with his own troops fought the common enemy, now hastens to show that nothing which affects the French nation can be indifferent to them.

The young prince, whose birth is the object of your congratulations, will, from his infancy, hear recounted the glorious actions by which you have effected the independence and happiness of a vast continent; and when there shall be cited to him examples of disinterestedness, constancy, courage, and every other military virtue, there will be repeated the names of illustrious chiefs.

He is born at a moment when victory has crowned both our nations. This circumstance is a happy presage of his future glory and promises that he will one day be the support of your independence as well as of the alliance which unites France with the thirteen United States.

The veneration that your actions and virtues have inspired me with, gentlemen, augments the pleasure I have in conveying your sentiments to the king my master.

I beg you to be persuaded that no one is with more sincere respect, gentlemen, your very humble and obedient servant,

LUZERNE.

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Fox to Thomas Grenville.\*

[Private.]

ST. JAMES'S, *June 10, 1782.*

DEAR GRENVILLE: I received late the night before last your very interesting letter of the 4th, and you will easily conceive am not a little embarrassed by its contents. In the first place, it was not possible to comply with your injunction of perfect secrecy in a case where steps of such importance are to be taken; and therefore I have taken upon me (for which I must trust to your friendship to excuse me), to show your letter to Lord Rockingham, the Duke of Richmond, and Lord John, who are all as full of indignation at its contents as one might reasonably expect honest men to be.

We are perfectly resolved to come to an explanation upon the business, if it is possible so to do, without betraying any confidence reposed in me by you or in you by others.

The two principal points which occur are the paper relative to Canada, of which I had never heard till I received your letter, and the intended investment of Mr. Oswald with full powers, which was certainly meant for the purpose of diverting Franklin's confidence from you into another channel. With these two points we wish to charge Shelburne directly; but, pressing as the king is and interesting as it

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\* 1 Buckingham Memoirs, 39.

is both to our own situations and to the affairs of the public—which are, I fear, irretrievably injured by this intrigue and which must be ruined if it is suffered to go on—we are resolved not to stir a step till we hear again from you and know precisely how far we are at liberty to make use of what you have discovered. If this matter should produce a rupture, and consequently become more or less the subject of public discussion, I am sensible the Canada paper can not be mentioned by name; but might it not be said that we had discovered that Shelburne had withheld from our knowledge matters of importance to the negotiation? And with respect to the other point, might it not be said, without betraying anybody, that, while the king had one avowed and authorized minister at Paris, measures were taken for lessening his credit and for obstructing his inquiries by announcing a new intended commission, of which the cabinet here had never been apprized?

Do, pray, my dear Grenville, consider the incredible importance of this business in every view, and write me word precisely how far you can authorize us to make use of your intelligence. It is more than possible that, before this reaches you, many other circumstances may have occurred which may afford further proof of this duplicity of conduct; and, if they have, I am sure they will not have escaped your observation. If this should be the case, you will see the necessity of acquainting me with them as soon as possible. You see what is our object, and you can easily judge what sort of evidence will be most useful to us. When the object is attained—that is, when the duplicity is proved—to what consequences we ought to drive, whether to an absolute rupture or merely to the recall of Oswald and the simplification of this negotiation, is a point that may be afterwards considered. I own I incline to the more decisive measure, and so I think do those with whom I must act in concert.

I am very happy indeed that you did not come yourself; the mischief that would have happened from it to our affairs are [is] incredible; and I must beg of you, nay, entreat and conjure you, not to think of taking any precipitate step of this nature. As to the idea of replacing you with Lord Fitzwilliam, not only it would be very objectionable on account of the mistaken notion it would convey of things being much riper than they are, but it would, as I conceive, be no remedy to the evil. Whether the king's minister at Paris be an ambassador extraordinary or a minister plenipotentiary can make no difference as to the question. The clandestine manner of carrying on a separate negotiation, which we complain of, would be equally practicable and equally blamable if Lord Fitzwilliam was ambassador, as it is now that Mr. Grenville is plenipotentiary. I must therefore again entreat you, as a matter of personal kindness to me, to remain a little longer at Paris; if you were to leave it, all sorts of suspicions would be raised. It is of infinite consequence that we should have to say that we have done all in our power to make peace, not only with regard to what may be expected from America, but from Europe.

The King of Prussia is certainly inclined to be our friend, but he urges and presses to make peace if possible. If we could once bring the treaty to such a point as that, stating the demands on each side to him, we could have his approbation for breaking it off, I think it not impossible but the best consequences might follow; and with regard to North America, it is surely clear to demonstration that it is of infinite consequence that it should be publicly understood who is to blame if the war continues. I do hope, therefore, that you will at all events stay long enough to make your propositions and to call upon them to make others in return. I know your situation can not be pleasant, but as you first undertook it in a great measure from friendship to me, so let me hope that the same motive will induce you to continue in it at least for some time.

What will be the end of this, God knows; but I am sure you will agree with me that we can not suffer a system to go on which is not only dishonorable to us, but evidently ruinous to the affairs of the country. In this instance the mischief done by intercepting, as it were, the very useful information we expected through you from Franklin, is, I fear, in a great degree irremediable; but it is our business, and indeed our duty, to prevent such things for the future.

Everything in Ireland goes on very well; and I really think there is good reason to entertain hopes from Prussia and Russia if your negotiation either goes on or goes off as it ought to do.

I can hardly read Monsieur de Guemené's letter, but wish to have two hundred bottles of the champagne if there is really reason to think it good. By the way, I beg you will remember me to Monsieur de Guemené and put him in mind of our former acquaintance in the Rue St.-Pierre. If the wine in question is as good as that he used to rob from Monsieur de Soubise I shall be very well satisfied. I will give Brooks directions to acquaint you with the proper manner of sending it. I am quite ashamed of dwelling so long upon this, after the very serious business of this letter, but you know I can not help being a friend to the *poor abuses*; and besides, in a political light, good wine is no mean ingredient in keeping one's friends in good humor and steady to the cause.

I am, my dear Grenville, yours most affectionately,

C. J. Fox.

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Morris to Jenifer.\*

OFFICE OF FINANCE, *June 11, 1782.*

SIR: I have received the letter which you did me the honor to write on the 31st of last month. I am so habituated to receive apologies instead of money that I am not surprised at the contents of it. If complaints of difficulties were equivalent to cash, I should not complain

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\* 6 Sparks' Dip. Rev. Corr., 491.



that the quotas are unpaid. But unluckily this is not the case; and if the States really mean to prosecute the war something more must be done than merely to pass declaratory resolutions; for no man can be found who will, for such resolutions, supply food to our army. I am well persuaded that the difficulties which any State labors under proceed more from impolitic laws than any other source; for, as to the taxes required, they are very moderate, when compared either with the real wealth of the people or the former expenses which they have borne.

How far the quota asked from your State is or is not proportionate, it is not my business to determine. I presume it is right; but let it be as high as it may, I am persuaded that, when your specifics are turned into specie and the various expenses attending such mode of taxation are paid, if the net amount be compared with the property taken from the people according to this simple proportion: as the whole tax laid is to the net amount brought into the Treasury, so is the price of wheat, tobacco, or any other article fixed in the law to a fourth number to be found—if, I say, this comparison be made, it will appear that the people have sustained a greater loss than any disproportion in their quota could amount to.

You must not, however, suppose that Maryland is singular in considering her quota too high; so far from it that I believe every State thinks so of its own quota, and would be very happy to apologize to the world for doing nothing, with the thin and flimsy pretext that it has been asked to do too much.

You tell me your assembly would pledge any species of security in their power to borrow money. I am persuaded that you think so, but you must pardon me for holding a different opinion, besides that their willingness in this respect can be of but little avail; for, while such extreme reluctance is shown to granting a sufficient revenue to pay past debts, you must not expect that any persons will rely on promises of future integrity. I believe your assembly, like all others on the continent, means well, and therefore I am in hopes that they will act well. But before they call on Hercules they must put their shoulders to the wheel. It is a vain thing to suppose that wars can be carried on by quibbles and puns, and yet laying taxes payable in specific articles amounts to no more; for, with a great sound, they put little or nothing in the Treasury.

I know of no persons who want your specific supplies, and, if they did, rely on it that they would rather contract with an individual of any State than with any State in the Union. I have yet met with no instance in which the articles taken in for taxes are of the first quality, neither do I expect to meet with any; and so little reliance can be placed on them as to punctuality that you may depend they can never be sold but at a loss. This I have experienced. Somebody or other will make a good bargain out of you, and the best you can make is to

sell before the expenses eat up the whole. This will be buying experience, and perhaps it may prove a cheap purchase.

I am sorry that you are about to quit your office, and particularly sorry for the want of health which leads you to that determination. I had hopes that your endeavors would have brought things into order. I shall expect to hear from you soon better tidings.

Yours, &c.,

ROBERT MORRIS.

[Franklin's letter of June 11, 1782, to Oswald, is given *infra* in Franklin's Journal, under date of July 1, 1782.]

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Livingston to Trumbull.\*

OFFICE OF FOREIGN AFFAIRS, *June 12, 1782.*

SIR: I was honored with your letter of the 23d of May, with both the enclosures, which I laid before Congress, and furnished copies to the minister of France. The spirit in which your answer to Mr. Deane's letter is written is such as must bring him to some sense of the disgraceful and contemptible part he is acting, and awake in him that remorse which is the severest punishment of guilt. I shall avail myself of the permission you give me to transmit it to Dr. Franklin, since I see that important advantages may result from declaring to Europe your sense and that of so reputable a body as the legislature of Connecticut upon the important points it discusses.

I have the honor to be, &c.,

ROBERT R. LIVINGTON.

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Carmichael to Livingston.†

No. 7.

MADRID, *June 12, 1782.*

SIR: On the 5th instant I had the honor to address you, enclosing a copy of a letter which I wrote to Mr. Jay soon after his departure from Madrid.‡ The court is now here, but the ministers are generally so harassed by business and visits during their short stay in the capital, that there are few opportunities of having access to them. Before I left Aranjues I frequently reminded M. Del Campo of the promises made me to pay attention to the different offices passed from Mr. Jay, interesting to various citizens of the United States. I was well received,

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 187.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 88, with verbal changes.

‡ The letter here referred to is missing. Mr. Jay left Madrid for Paris about the 20th of May.—SPARKS.

and had those promises reiterated. I judged it more proper to solicit the notice of the ministry to these objects in person than by writing, because I could have small hopes of success from memorials, when I reflected how little attention had been paid to those written by a man so much my superior in that mode of address. Besides, frequent conferences perhaps develop better the opinions and disposition of men than deliberate answers to requests or remonstrances, however clearly or however strongly they may be stated in writing.

In my conversation with the minister and the gentleman above mentioned, they seemed to think the work of peace to be in a fair way. I have, however, some reason to suppose that neither their instructions to their ambassador at Paris for this object, nor those for him to treat with Mr. Jay, are yet forwarded; and there are grounds to conjecture that this court would have retarded the negociation as much as possible, had not the defeat of the Count de Grasse blasted their hopes of taking Jamaica. Even now they will be desirous of knowing the fate of the siege of Gibraltar before they agree to any treaty which does not put them in possession of that important fortress. The neutral ministers here seem to wish to intermeddle in the proposed pacification. There is a general jealousy among them of the house of Bourbon, and a particular animosity against this branch of it. This I have long remarked, and I have now more frequent occasions than heretofore.

I am afraid the rumors of peace will slacken the preparations of the Dutch for the war. The hopes of a speedy general pacification, and a (rest)\* of complaisance and apprehension of the Empress of Russia, may procrastinate the treaty between the United States and them. I write these conjectures with diffidence, as, indeed, I do all which depend on my own judgment.

I am busy at present in arranging the public accounts. The projected bank employs so much of M. Cabarrus's time, and that of his clerks, that it is possible I may be obliged to follow the court to St. Ildefonso, to which place the king removes the 14th instant, before I can obtain such a settlement of them as may enable me to transmit the general account to Mr. Jay for his approbation. In the meantime I draw, and shall still be obliged to draw, on Dr. Franklin, to enable me to discharge the public bills accepted by Mr. Jay. Exchange is every day more to our disadvantage. The depreciation of the royal billets is now at  $3\frac{1}{2}$  and  $3\frac{1}{2}$  per cent., and I make no doubt will be at 6 per cent. in two months. The court has been again obliged to have recourse to the Gromios for money, whose privileges, it appears from the establishment of the bank, it meant to deprive them of. This circumstance marks their distress for money, and, as some say, the want of system in their conduct.

The Duc de Crillon has set out for the camp before Gibraltar. The operations, however, will not seriously commence before the month of August, if in all that month. The expectations of success are sanguine.

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\* So apparently in original, but indistinct. Mr. Sparks gives the word as "sense."

I heard the duke himself speak with great confidence on the subject. The combined fleet left Cadiz the 4th instant; it consists of thirty-two sail-of-the-line and some frigates, and proceeds immediately to the British Channel. I avail myself of a courier from the French ambassador to forward copies of this letter to the ports of France. The Count de Montmorin continues to give the same proofs of attachment to the interests of the States and of personal kindness to myself that I have ever experienced since my arrival in Spain. I beg leave to remind you to send me a cipher, and to entreat your instructions and intelligence addressed directly to myself; otherways I shall have few opportunities of manifesting my zeal for the public service or of acquiring your personal esteem.

I have the honor to be, &c.,

WILLIAM OARMICHAEL.

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Congress to the King of France.\*

JUNE 13, 1782.

The United States in Congress assembled, to their great, faithful, and beloved friend and ally, Louis the Sixteenth, King of France and Navarre.

GREAT, FAITHFUL, AND BELOVED FRIEND AND ALLY: We learn with extreme grief, an event which has disturbed your majesty's felicity, and unite with you in offering that tribute of sorrow to the memory of your most dear and beloved aunt, the Princess Sophia Philippina Elizabeth Justina of France, which is due, as well to the eminent virtues she possessed as to the relation in which she stood to your majesty. We trust that our sensibility on this occasion will be considered as a proof of the interest we take in every event which may affect your majesty, and that our sincere condolence when such afflictions as are the lot of humanity put it out of our power to offer more effectual consolation will evince our earnest desire on every occasion to contribute to your majesty's happiness.

We pray God, dear, great, faithful friend, and ally, always to preserve and keep you under His holy protection.

Done at Philadelphia, the 13th day of June, in the year of our Lord one thousand seven hundred and eighty-two, and in the sixth year of our independence. By the United States in Congress assembled. Your majesty's faithful friend and allies,

JOHN HANSON, *President*.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 72.

Adams to Franklin.\*

THE HAGUE, *June 13, 1782.*

SIR: I had yesterday, at Amsterdam, the honor of receiving your excellency's letter of June the 2d.

The discovery that Mr. Grenville's power was only to treat with France does not surprise me at all. The British ministry are too divided among themselves, and have too formidable an opposition against them, in the king and old ministers, and are possessed of too little of the confidence of the nation, to have courage to make concessions of any sort, especially since the news of their successes in the East and West Indies. What their vanity will end in God only knows; for my own part, I cannot see a probability that they will ever make peace until their finances are ruined and such distresses brought upon them as will work up their parties into a civil war.

I wish their enemies could by any means be persuaded to carry on the war against them in places where they might be sure of triumphs, instead of insisting on pursuing it where they are sure of defeat. But we must take patience and wait for time to do what wisdom might easily and soon do.

I have not, as yet, taken any engagements with the Dutch not to make peace without them; but I will take such engagements in a moment if the Dutch will take them, and I believe they would very cheerfully. I shall not propose it, however, till I have the concurrence of the Duc de la Vauguyon, who will do nothing without the instructions of his court. I would not delay it a moment from any expectation that the English will acknowledge our independence and make peace with us, because I have no such expectations. The permanent friendship of the Dutch may be easily obtained by the United States; that of England, never; it is gone with the days before the flood. If we ever enjoy the smallest degree of sincere friendship again from England, I am totally incapable of seeing the character of a nation or the connexion of things; which, however, may be the case, for what I know. They have brought themselves into such a situation. Spain, Holland, America, the armed neutrality, have all such pretensions and demands upon them that where is the English minister or member of Parliament that dares vote for the concession to them? The pretensions of France I believe would be so moderate that possibly they might be acceded to. But it is much to be feared that Spain, who deserves the least, will demand the most; in short, the work of peace appears so impracticable and chimerical that I am happy in being restrained to this country, by my duty, and by this means excused from troubling my head much about it.

I have a letter from America that informed me that Mr. Jay had refused to act in the commission for peace; but if he is on the way to

Paris, as you suppose, I presume my information must be a mistake, which I am very glad of. Mr. Laurens did me the honor of a very short visit, in his way to France, but I was very sorry to learn from him that in a letter to your excellency from Ostend he had declined serving in the commission for peace. I had vast pleasure in his conversation, for I found him possessed of the most exact judgment concerning our enemies, and of the same noble sentiment in all things which I saw in him in Congress.

What is the system of Russia? Does she suppose that England has too many enemies upon her and that their demands and pretensions are too high? Does she seek to embroil affairs and to light up a general war in Europe? Is Denmark in concert with her or any other power? Her conduct is a phenomenon. Is there any secret negotiation or intrigue on foot to form a party for England among the powers of Europe and to make a balance against the power of the enemies of England?

The states of Holland and several other provinces have taken a resolution against the mediation for a separate peace; and this nation seems to be well fixed in its system and in the common cause.

My best respects and affections to my old friend, Mr. Jay, if you please. I have the honor to be, sir, your most obedient and most humble servant,

JOHN ADAMS.

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Morris to the Governor of Connecticut.\*

OFFICE OF FINANCE, *June 14, 1782.*

SIR: Mr. Merrill, in a letter of the 7th instant, informs me that your excellency requested him to delay the publication of receipts for your State. I am convinced, sir, that you had good reasons for this request, and wish it were in my power still further to gratify your wishes. But I am under the necessity of insisting on the publication for the following reasons: 1st. To obviate the charge of partiality if made in one State and not in others. 2dly. To show the deficiency of means granted for carrying on the war. 3dly. Thereby to exonerate those who are immediately responsible; and 4thly. To direct the public to the real cause of our calamities.

Your excellency well knows that it is common for representatives to aim at popularity by lessening or procrastinating the taxes of their constituents. It is proper, therefore, that the people should know the situation to which such conduct reduces them.

I have the honor to be, &c.,

ROBERT MORRIS.

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\* 6 Sparks' Dip. Rev. Corr., 493.



## Luzerne to Rochambeau.\*

[Translation.]

PHILADELPHIA, *June 14, 1782.*

MY DEAR GENERAL: I have just received your letter of the 8th of this month, and the packets which accompanied it. I have not now time to reply to it, as I profit by an express on the point of departure, and whom I cannot detain.

The movements of the English troops at New York indicate an intention of sending off detachments from that garrison. It is even possible, though not very probable, that they propose to evacuate that place, either to reinforce the English Islands or to act offensively against the conquered islands, which will not be in so good a state of defense as our ancient possessions. This last supposition cannot take place unless they retain their superiority, and, although I hope that this will not be the case, it is, however, but prudent to be in readiness against every event.

The most sure means of preventing the enemy from making any detachment from New York is to approach that place and to give a jealousy to General Carlton of a combined attack. Congress regard the matter in this light, and think that General Washington will make a movement towards New York, in case such a measure is agreeable to his designs or to the intelligence he may have. I am ignorant what steps he will take in this conjuncture. It is possible that he may think it proper not to quit his present station till he hears that you approach. In all cases the enemy will be cautious of weakening themselves if they hear that you are on the march to form a junction.

I submit these ideas to you, my dear general, and am persuaded that you will take such measures as are most advantageous.

We have news, which I have no reason to believe, that M. de la Motte Piquet is not far distant from these coasts.

I have the honor to be, etc.,

LUZERNE.

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 Adams to Livingston.†
THE HAGUE, *June 14, 1782.*

SIR: The court of Petersburg is very industrious in her endeavors to accomplish a separate peace between England and Holland. Her minister at Versailles has made an insinuation to the French court that her majesty would be much obliged to the king if he would not make

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\* 6 Sparks' Dip. Rev. Corr., 72.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 618, with verbal changes.

any further opposition to such a separate peace. To this insinuation the following wise and firm answer has been given :

The king is sensibly impressed with the fresh proof of confidence which the empress hath given in communicating to him her measures and ideas respecting a separate peace between England and the States-General. His majesty perceives therein the sentiments of humanity which actuate her imperial majesty, and he takes the earliest opportunity to answer, with the same degree of freedom, what particularly concerns him in the verbal insinuations communicated by Prince Baratinski.

Faithful to the rule he has established of never controlling the conduct of any power, the king has not sought to direct the deliberations of the States-General, either to incline them to war, or to prevent them from making a separate peace; England having unexpectedly attacked the provinces of the United Netherlands, his majesty hastened to prevent the ill consequences by every means in his power; his services have been gratuitous; his majesty has never exacted any acknowledgment on their part. Should the States-General think that the obligations they owe to his majesty, as well as the interest of the republic, impose it on them as a duty not to separate their cause from the king's and his allies, the Empress of Russia is too wise and too just not to acknowledge that it is not for his majesty to divert them from such a resolution, and that all that he can do is to refer to their wisdom to conclude on what best suits with their situation.

The empress is not ignorant that circumstances have induced the States-General to concert operations with the king. His majesty flatters himself that this princess has no views of prevailing on them to desist from this arrangement, which necessarily results from the position of the two powers with respect to England, and which must naturally contribute to the reëstablishment of the general tranquillity, the object both of her Imperial majesty's and the king's wishes.

I have the honor to be, &c.,

JOHN ADAMS.

Greene, Governor of Rhode Island, to Livingston.\*

NEWPORT, *June 15, 1782.*

SIR: I had the honor of receiving your address of the 14th of May past, informing me that the minister plenipotentiary of his most Christian majesty had announced to the United States in Congress assembled, at a public audience, the birth of a dauphin of France, which I laid before the general assembly, who were pleased to request me to transmit the enclosed letter of congratulation upon that happy event to his excellency the minister of France, which I request may be delivered to him in the name of the governor, council, and representatives of the State of Rhode Island and Providence Plantations, in general assembly convened.

I have the honor to be, &c.,

W. GREENE.

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 188.

## Adams to Livingston.\*

THE HAGUE, *June 15, 1782.*

SIR: This morning I made a visit to the grand pensionary, M. Van Bleiswick, and had a long conference with him concerning the plan of a treaty of commerce, which is now under consideration, and endeavored to remove some of his objections, and to explain to him the grounds and reasons of certain articles which have been objected to by others, particularly the article which respects France, and that which respects Spain. He made light of most of the objections which had been started to the plan, and thought it would be easy to agree upon it; but there must be time for the cities to deliberate.

I asked him if they did not intend to do us the honor soon of sending an ambassador to congress, and consuls at least to Boston and Philadelphia? He thought it would be very proper, but said they had some difficulty in finding a man who was suitable, and at the same time willing to undertake so long a voyage. I asked him if it would not be convenient to send a frigate to America to carry the treaty, their ambassador, and consuls, all together, when all should be ready? He said he could not say whether a frigate could be spared. "Very well," said I, smiling, and pointing to the prince's picture, "I will go and make my court to his highness and pray him to send a frigate to Philadelphia with a treaty, an ambassador, and two consuls, and to take under her convoy all merchant vessels ready to go." "Excellent," said he, smiling, "I wish you good luck."

We had a great deal of conversation, too, concerning peace, but as I regard all this as idle it is not worth while to repeat it. When a minister shall appear at Paris or elsewhere with full powers from the King of England to treat with the United States of America, I shall think there is something more than artifice to raise the stocks and lay snares for sailors to be caught by pressgangs.

I have the honor to be, &c.,

JOHN ADAMS,

## Morris to Lovell.†

OFFICE OF FINANCE, *June 16, 1782.*

SIR: I have received this day your letter of the 6th instant. I find the publications of "*no receipts*" are by no means very pleasing. Men are less ashamed to do wrong than vexed to be told of it. Mr. Merrill, of Connecticut, delayed his publication in consequence of a request from the governor. This he informed me of by letter, and I enclose you a copy of my answer. It contains some of the reasons why I insist on such publications, and I send them to you because I think I can at this

\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 619; 7 J. Adams' Works, 598.

† 6 Sparks' Dip. Rev. Corr., 494.

distance perceive that some men will desire to know those reasons from you.

I know it will be alleged that from such publications the enemy will derive information ; but I am convinced they will gain all the knowledge of that sort which they want without our newspapers ; for the collection of taxes is a matter of too great notoriety to be concealed, and therefore I have long considered such arguments as mere excuses to keep the people in ignorance, and deceive them under pretext of deceiving their enemies.

I am, sir, your most obedient, &c.,

ROBERT MORRIS.

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Thomas Grenville to Fox. \*

[Private.]

PARIS, *June* 16, 1782.

DEAR CHARLES: I received your letter of the 10th by Ogg on the night of the 14th, and would have sent him back as immediately as you seemed to wish, but having no other messenger to carry M. de Vergennes's answer, I was obliged to keep him till he could be the bearer of that likewise.

I can easily conceive the embarrassment occasioned to you by my letter, and have so much confidence in the honour of the persons to whom you communicated it, that I am not under the smallest uneasiness on that account; the explanation however, that you wish to come to certainly has its difficulties, and amongst them some so sacred that unless they can be kept altogether clear, you cannot but agree with me in thinking that they must be buried at least in silence, though not in oblivion. In order therefore that you may see into every part of this business, I will as you desire, state in the most explicit manner the circumstances of it as far as I think they affect any confidence reposed in me.

In the first place, then, you will have observed that although Franklin has actually made me no confidence, owing as I believe, without doubt, to the reasons I stated, yet as the communication he had said he would make to me was of the most confidential nature, and in full trust that the subjects which he should mention should not be given as propositions coming from him, I think it would be a breach of that confidence to make it known even that he had promised to hold such a conversation with me; and therefore to charge Lord Shelburne with having diverted from me that expected communication, would be to proclaim Franklin's promise to me, which promise, though it has not been followed up, I can not think myself at liberty to quote. The delicacy of Franklin's

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\* 1 Buckingham Memoirs, 43.

situation with respect to the French court was, as he said, the ground of the caution which he observed, and which, nevertheless, he was once inclined to risk in my trust. He would certainly have both to repent and to complain if anything on my part should lead to betray even the confidential disposition he had entertained. These reasons you will, I am sure, agree with me in considering as decisive against any mention being to be made of the expectations I had formed from the conversation I was to have had with Franklin.

The Canada paper is not, perhaps, quite under the same circumstances. The only knowledge I have of that is from Oswald ; and as I before told you, I had it from him at a moment when, I fancy, he apprehended I had heard or should hear of it from Franklin. No other reason, indeed, can account for his not mentioning it from the end of April till the 31st of May. He told me under express limitation of confidence. The words in which he introduced it were, "I think it right you should know ;" and I am perfectly sure that he asked from me no engagement of secrecy ; nor do I conceive myself under any with regard to him, except that general secrecy which is always attached to business of a confidential nature, such as was the business I related to you. I recollect asking whether he had shown the paper to you. He said no, but did not add any injunction to me not to do so ; indeed, if he had I should have stated to him the impossibility of my keeping from you a circumstance of that importance, or of my becoming, by my silence in it, a separate party to a business which it was my duty fully and entirely to lay before you and to receive from you ; nor, indeed, at this moment is the knowledge of it confined to Lord Shelburne, as I am pretty sure Oswald told me that Lord Asburton was with Lord Shelburne when he, Oswald, asked if he might give any answer to Franklin about the paper, or rather observed that he supposed he could not then have any answer to it. Under these circumstances the difficulty with regard to the Canada paper, of which I have no copy, lies more possibly in the indelicacy and perhaps bad policy of bringing forward Franklin where he wished so much not to appear than in the quoting from me. I do not wish to be quoted, if there exists the least doubt whether I should. But I can not more exactly explain to you the whole extent of that doubt than by showing you that it does not exist in any specific obligation on my part, but only in the nature of what was told to me, the subject itself carrying with it, as you will see, many reasons for secrecy and every mark of it in the manner of conducting it ; but as to positive engagement or obligation upon this subject I have none.

The remaining circumstance of the intention mentioned to Mr. Oswald by Lord Shelburne of giving him a commission if it should be necessary stands altogether clear of the slightest shade of difficulty upon the point of confidence ; indeed, at the time I wrote you word of it I did not imagine I was informing you of anything new or unknown to you, and

only so far meant to dwell upon it as to regret its happening precisely at the instant when it was most important it should not. I apprehend that Lord Shelburne might have already expressed such an intention to the rest of the king's ministers upon the ground of the American share of this business, which ground, in the present stage of it, I thought possibly you had not found it easy to object to. In this idea it was that Lord Fitzwilliam's appointment occurred to me, not to prevent a clandestine negotiation, but to unite a separated one, always imagining that you knew of but did not resist the intended commission to Mr. Oswald, and therefore hinting the expediency of superseding it by giving to another person an appointment of such rank and magnitude as should include a power which it seems neither for the public interest nor for yours and your friends' interests to leave separate and distinct.

To return, however, to the point of confidence; upon this last subject there is none; and you are certainly at full liberty to proclaim at Charing Cross that Lord Shelburne told Mr. Oswald he supposed he would not object to a commission if it should be necessary; and that since his last return to Paris Mr. Oswald has told me he found it very much Franklin's wish likewise. If I may repeat, therefore, in a few words, what I have tried to express to you in a good many, it is that, as to Franklin's first intention of a private and confidential communication with me, I hold myself so engaged in secrecy to him that I think it would be a breach of confidence in me to have that intention at all spoken of. As to the Canada paper, I leave it, with the comment I have made upon it, altogether to your discretion; and as to the proposed commission, you are certainly at full liberty to say of it what you please. I have it not in my power to give you any additional proofs of sinister management in this business. I seldom see Oswald, though upon good terms with him, and have seen Franklin, since Oswald's coming, but once, when he was as silent as ever, notwithstanding my reminding him of his promise; so that I can not help thinking that business altogether irretrievable. But neither do I know what you will gain by forcing Oswald's return; indeed I am inclined to think it might be much more prudent to save appearances by leaving him here till you shall have completed your purpose of receiving the propositions you wish or the refusal you wish from Versailles. Perhaps, politically speaking, you may not think it wise to make the conduct, or rather misconduct, of a foreign negotiation the ground of a domestic rupture, which may betray too much weakness and disunion; but this is too delicate a subject for me to say anything upon more than to assure you that, whatever is your determination about it, you will not find me shrink from the part I have or may have to take in it.

And one word here about the desire I have expressed to return to England. It is impossible not to say that I feel that desire in the strongest degree. I would not speak peevishly about my disappointment in the unlucky check that I have met with; but I think



you will agree that the real service it might have been my good fortune perhaps to have been assisting in, is by that check completely annihilated, nor can any step now taken recover or retrieve it; and that consideration weighs pretty heavily in a situation in itself not agreeable to me. But if I repeat this now it is to keep you awake to the earnest solicitations I make of returning in the first moment you may think it practicable; till then you need have no apprehension of seeing me, but may trust that no personal motives, however strong, can weigh against the important reasons you state, as well as the desire you express, for my continuing something longer at Paris. I am writing to you on the 16th, waiting impatiently for M. de Vergennes's answer, which he gave me reason to hope I shall have to-morrow.

Morris to Livingston.\*

OFFICE OF FINANCE, *June 20, 1782.*

SIR: The copy of a memorial from the minister of France of the 25th of last month, which you handed me, has been laid before the Controller of the Treasury, who has examined the resolutions of Congress and reported to me. I am now, therefore, to observe that if the gentlemen mentioned in that memorial, or their representatives, have any claims against the United States they must form accounts thereof, and state them in the usual manner to the Controller of the Treasury, with the vouchers, who will cause them to be examined, according to the rules and regulations in that behalf established, and any balances which may appear due will be by him certified to me, at which time, and not before, I can decide on the subject.

I have the honor to be, &c.,

ROBERT MORRIS.

[La Fayette's letter of June 20, 1782, to Franklin is given *infra* in Franklin's Journal, under date of July 1, 1782.]

Morris to Livingston.†

OFFICE OF FINANCE, *June 20, 1782.*

SIR: I do myself the honor to request that you will be pleased to make out accurate estimates for your Department during the year 1783, that I may form those general estimates for the service which it is my duty to lay before the United States in Congress.

I am, with perfect esteem and respect, &c.,

ROBERT MORRIS.

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\* MSS. Dept. of State; 6 Spark's Dip. Rev. Corr., 189.

† MSS. Dept. of State; 6 Sparks' Dip. Rev. Corr., 188.

Morris to Washington.\*

OFFICE OF FINANCE, *June 21, 1782.*

SIR: I am informed that several of our officers have left behind them in New York considerable sums of money unpaid, which had been advanced to them while they were prisoners. The humanity of those who have made such advances, as well as the principles of justice, requires that they should be repaid. But there is another reason which has considerable weight on my mind. The establishment of a credit among our enemies by the punctual payment of such debts will induce them again to make advances should the chance of war place any of our unfortunate officers in a situation to render it necessary. I am, therefore, to request of your excellency (should you agree with me in opinion) that you would take measures to cause the amount of those debts to be particularly ascertained, in order that I may devise some means of discharging them as soon as the state of the Treasury will permit.

I am, sir, &c.,

ROBERT MORRIS.

Thomas Grenville to Fox†

JUNE 21.

I have been waiting day after day and have not got my answer until a few hours ago. I am sorry to have kept you so long, but you see it was impossible to avoid it. A report prevails that Bougainville is arrived at St. Domingo with two ships, as likewise are the four that were at Curaçoa. They add that Rodney had been obliged to burn three of his captured ships. La Motte Pequet has twice had orders to sail from Brest with his seven ships, and as often been recalled. They expect Guichen soon with the fleet from Cadiz of thirty-two ships. They are said to have sailed on the 4th.

Pray tell Sheridan to be more cautious in what he writes by the post. If I had time I should give him a lecture; but I want to send away the messenger. Adieu. Oswald affects to consider me now as fully authorized, but I believe expects different news as soon as the independence bill is passed; but I cannot help thinking you had better leave him where he is, for his going away will mend nothing. I have bought your wine.

Ever very affectionately yours,

T. G.

\* 6 Spark's Dip. Rev. Corr., 494.

† 1 Buckingham's Memoirs, 48.

Livingston to Franklin.\*

PHILADELPHIA, *June 23, 1782.*

DEAR SIR: This will be sent with duplicates of some of my former letters to the southward, to embrace the first opportunity that shall offer from thence. By so uncertain a conveyance you can expect nothing particular. Nor, indeed, does our present situation furnish anything that calls for your immediate attention, unless it be the unanimity with which the people of all ranks agree in determining to listen to no proposals from England which have not the alliance with France for their basis. Perhaps the joy they have discovered in celebrating the birth of the dauphin will be considered as a proof of their sincere attachment to the present illustrious monarch of France and his family.

Leslie has endeavored to bring General Greene to agree to a suspension of arms for the southern department, to which he has very prudently refused to agree.†

Nothing has yet been determined, or rather executed, with respect to Captain Asgill. The enemy are holding a court-martial on Lippincott, the executioner of Captain Huddy. On their decision the life of Captain Asgill will depend. Such is the melancholy necessity which the cruelty of the enemy has imposed.

You enclosed a letter from the Count de Vergennes on the subject of the pension due M. Tousard. Congress are too sensible of that gentleman's merit to deprive him of it. But, as it is necessary that everything of this kind be transacted at one office, it is proper that he direct some person as his agent to apply to the Treasury office here, and produce your certificate of the time to which the last payment was made, or at least transmit a statement of his account, on which the balance will be paid, and his pension regularly settled with his attorney in future.

The case of the brigantine *Ernten* has been decided upon in the inferior courts and in the court of appeals. The latter have been prevailed upon, at my request, to give a rehearing, which is not yet determined. Should its determination be against the vessel or cargo, on a conviction that she was British property, Congress will not choose to interfere in the execution of the sentence which the court they have instituted is competent to award.

I could wish to know from you what allowance you make to your private secretary, and to have an accurate estimate of those contingent expenses of your office which you think ought to be charged as distinct from your salary.

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 265, with verbal changes.

† As to this case see Jones's *His. N. Y.*, II, 232, 234, 483 ? and Johnston's *Review of Jones*, 77; Hale's *Franklin in France*, 439.

I enclose a copy of a letter from Deane to Governor Trumbull, with his answer, which you will please to forward. A copy of the answer is also enclosed.

I have the honor to be, &c.

ROBERT R. LIVINGSTON.

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Livingston to Jay.\*

PHILADELPHIA, *June 23, 1782.*

DEAR SIR: The only letter I have received from you since that of the 6th of February last was a few lines which covered an account of the surrender of Fort St. Philip. This success is important, as it not only weakens an enemy and operates against their future resources, but as it gives reputation to the arms of a nation that have our sincerest wishes for their prosperity, notwithstanding the little attention we have received from them. This letter goes by too hazardous a conveyance to admit of my entering into many of those causes of complaint which daily administer food to distrusts and jealousies between Spain and the people of this country. The Havana trade, notwithstanding the important advantages it affords to Spain, meets with the most unjustifiable interruptions. Vessels have been detained for months together, in order to carry on the expeditions which Spain has formed, no adequate satisfaction being allowed for them; and then sent away without convoy; by which means many of them have fallen into the hands of the enemy, and, where they did not, the expense and disappointment occasioned by their detention have thrown the greatest discouragements on the trade. The Bahama Islands having surrendered to the arms of Spain, if the copy of the capitulation published by Livingston may be depended upon, it is a counterpart to that of Pensacola, and the troops will probably be sent to strengthen the garrisons of New York and Charleston. These transactions, together with the delays and slights you meet with, can not but have a mischievous effect upon that harmony and confidence which it is the mutual interests of Spain and America to cultivate with each other. It seems a little singular to this country that the United Provinces, who never gave us the least reason to suppose that they were well inclined towards us, should precede Spain in acknowledging our rights. But we are a plain people; courts value themselves on refinements which are unknown to us. When a sovereign calls us friends, we are simple enough to expect unequivocal proofs of his friendship.

Military operations have not yet commenced, so that the field affords us no intelligence, and the cabinet seems to be closed by the determina-

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\*MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 450, with verbal changes; 2 Corr. and Pub. Papers of John Jay, 310.

tion of Congress not to permit Mr. Morgan to wait upon them with General Carleton's compliments.

General Leslie, in consequence of the late alteration in the British system (together with the scarcity of provisions in Charleston), proposed to General Greene a cessation of hostilities. I need hardly tell you that the proposal met with the contempt it deserved. Those who are unacquainted with our dispositions would be surprised to hear that our attachment to an alliance with France has gathered strength from their misfortune in the West Indies, and from the attempts of the enemy to detach us from it. Every legislative body which has met since has unanimously declared its resolution to listen to no terms of accommodation which contravenes its principles.

Congress have it in contemplation to make some alteration in their foreign arrangements, in order to lessen their expenses, but, as nothing is yet determined on, I do not think it worth while to trouble you with a plan which may not be carried into effect.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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**Laurens to Franklin.\***

LYONS, *June 24, 1782.*

SIR: In pursuance of the measure which I had the honour of intimating in my last of the 17th ulto., I waited on Mr. Adams at Hague and made a tender of my service in the duty first charged upon me by Congress, that of borrowing money for the use of our United States, provided I was included and authorized in the commission transmitted to him for that purpose, informing him the original commission to myself had been destroyed at the time of my capture. Mr. Adams did not say whether my name stood in the subsisting commission or not, but gave me to understand that such an arrangement had been made of the business as rendered my attendance or interference unnecessary. As speedily as possible, therefore, I retired from the low countries where I was in extreme bad health, and commenced the journey which I am now engaged in, to the south of France, partly for the recovery of health but chiefly for the purpose of visiting my much distressed friends, a brother, sister-in-law, and my two daughters, from whom I have been separated upwards of seven years. Your letter of the 25th May, which now lies before me, had been sent from Bruxelles to Amsterdam, passed by me on the road, and was not returned in convenient time for me to reply to before I reached this city.

It might be improper and impertinent to trouble you with a detail of reasons weighing with me against acting under the commission for

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\* MSS. Dep. of State.

treating with Great Britain. The following apology which I have transmitted to Congress I hope will be satisfactory :

On the 10th instant (May) I received from Dr. Franklin a formal notification of my appointment in the commission for treating with Great Britain and also a copy of the said commission. I left London on the 11th and arrived at Ostend on the 15th, from whence I informed Dr. Franklin that I declined the honor of that office but that I should proceed to the Hague.

I might assign various reasons, all valid, for this determination. The following single consideration I trust will be satisfactory to Congress :

Five persons are nominated in the commission ; not conjunctly but severally and respectively fully empowered, whence it evidently appears Congress had not in view or expectation that the whole would act, and certainly it is not necessary nor would it be beneficial that the whole should act ; therefore, as there are three of those persons besides myself, and all of superior abilities, upon the spot, were I to thrust myself in merely to make a fourth figure I should feel guilty of a species of speculation by putting the publick to unnecessary expence without any well-grounded hopes of rendering publick service.

Now, sir, after the most mature deliberation, taking also into consideration all that popular discontent, clamor, and censure which you say has ever been attendant upon definitive treaties, I see no cause for altering my resolution ; nevertheless, had I not been previously engaged to make this journey and written to my friends to expect me, and had I not too much reason to fear I shall scarcely end it time enough to find my brother alive, I do assure you, sir, the desire which you express for your seeing me on your own account would have hastened me to pay my respects to you at Passy, under a previous condition that I should have been as much incog. as possible, and I will still, with great pleasure, wait on you there should you continue to wish it, after I have spent a few days at Vigan en Cevennes and adjusted a plan for the future conduct of my suffering friends above mentioned who reside at that place. A letter under direction to my eldest daughter, Mademoiselle M. Laurens, will find me there or soon overtake me.

He was a very sensible man, and much of a gentleman, who said if our hopes were confined to this life we should of all men be most miserable. He was an ambassador, too. The observation is strong but full of encouragement, and with proper modification may be fairly adopted by every honest man of the diplomatic corps. Probably I had this in contemplation when I promised you should be blessed ; but we may have hopes even in this life, not confine them to it ; popular blame and censure raised without foundation soon vanish and leave no record. Wise and discerning men will give just applause to virtuous servants of the publick and transmit to posterity fair accounts of their faithful and judicious conduct. The circumstances of our country cry aloud for peace—I mean taking the country collectively—and blessed here and hereafter with my will shall the men be who are instrumental in making peace for her upon honourable terms. The number whose duty, being in place, will constrain them to act is very ample ; more would be too many ; and let us look at the other side. We shall see the respective



dividend of honor will be larger than it would have been if shared between five or four; but certainly in the latter days of my residence in England the mouth of every man who conversed with me was full of blessed shall be the peacemakers, which seemed at that time to flow from the abundance of the heart.

It is true, sir, I had some opportunities of conversing with the new ministers of the court of London and that I sedulously avoided many more which I might have had, and if they were sincere on their part I could tell you what were the sentiments of some of them, and add that I could not comprehend the metaphysical ideas of others who wished, as it seemed to me, for somewhat of a connection between Great Britain and America like plantonic love, something which they mumbled but could not define and which, considering their good sense, created a suspicion of their sincerity. One of the last things which the principal stickler against our independence said to me was, "Well, Mr. L., if I must part with America it will be with great reluctance, because I think it will not be for her good." Which I read: "Well, sir, after all I perceive in the present circumstances of this kingdom we must have peace at any rate; that we cannot obtain it without recognizing the independence of America, which I have a thousand times sworn never to concede, and for aught you know it was the tenure under which I obtained my place. But you say, 'the peace bill in its present shape will prove nugatory and offensive; that Independence must be a preliminary and an ultimatum.' I am sorry you will not be persuaded out of your notions; believe me they are chimerical and will certainly bring on confusion and ruin to your country. Why won't you listen to the candid admonition of disinterested friends, who have been heaping acts of kindness upon you year by year for seven years past. If you will not be advised you must have your own way, but mark, we have forewarned you of consequences, &c." To the best of my ability I made a reply adapted to the comment, not to the text. The former is actually a compound of scraps of different conversations. This is a representation of what I *knew* of the sentiments of ministers when I left England; but who can tell what changes may since have been wrought by the affair in the West Indies. You may be able by this time to form some judgment on that head, I am totally ignorant of what has been doing for many days. The last intelligence I picked up was the city address. How dextrously and glibly do those addressors term that glorious which erst they reprobated as unjust. The war with America is the foundation of the extended war. The war with Holland has been a thousand times caused by them. Yet these worthies now vaunt of a glorious war without exception. Sir George Rodney's adventitious success has absolved him from all the sins "wittingly," "deliberately," "inhumanly," "wantonly," committed at St. Eustatia—the Volunteer determined—Inquisitors of his malpractices, who entered upon their enquiry from "pure motives of justice and in order to wipe out a stain upon national

character," have adjourned the inquest *sine die*, and are become his panegyrists. Notwithstanding all this, I believe that moral honesty and disinterested patriotism still subsists in the breasts of individuals, but who will dare to promise for the faithfulness of new or old ministers and publick bodies of men. In a word the little knowledge that I might have had of the sentiments of the new ministry on the 11th of May was all effaced by the appearance of the Gazette Extraordinary about nine days after; hence it is clear, I cannot speak to the general point of your enquiry and I presume Congress have given special instructions respecting commerce, fisheries, boundaries, &c., for the guidance of the acting commissioners.

Certainly Lord Shelburne made no stipulation respecting exchange in return for my enlargement, but it is equally true that his lordship has it from under my hand, of dates previous and subsequent to my discharge, that an adequate return would be made and also that his lordship intimated to me that the discharge of Ld. Cornwallis in return would be generous and acceptable, he did not say an exchange was expected, but I much misunderstood his lordship if he did not mean it. About the time of my enlargement, there appeared rather a glaring display of comingness and liberality. Nothing that I propos'd for the exchange and return to America of our fellow citizens, prisoners at Portsmouth and Plymouth, was objected to. There was a general cheerful acquiescence, and I left that business in the fairest way under the auspices of our active friend Mr. Hodgson. Nevertheless I understood that returns were to be made in exchange for those prisoners, altho' I knew of no express stipulation, having refer'd the executive part to our said friend, but 'tis not to be doubted that an agreement for a fair exchange was made. Now certainly if a cartel is fix'd for the exchange of men who were esteem'd only at the rate of "deluded subjects," a proper return for the enlargement of one who was accounted by ministry "a, or *the* most heinous offender," as Lord Hillsborough was pleased to stile him, is expected; otherwise, will not the frank discharge of the latter wear the aspect of a bribe? And I don't know but it might at first have been so projected, it is my wish to view it in a more favourable light and to cancel the debt without delay. Before I went to meet Mr. Adams in April Lord Shelburne knew that I was appointed in the commission to treat with Great Britain and had offered me an unconditional release, which, as I have heretofore said, I refus'd to accept, nor did the discharge, such as it is, come to me until I had declared to his lordship through Mr. Oswald that I would surrender myself to the court of king's bench then sitting, in order to acquit my bail and would submit my body to the disposal of the court. Upon the whole, I think Congress are in honour bound to make an adequate return in exchange for me, and that the British court expect such a return will be made, the adequacy Congress have been pleas'd to settle at the rate of a lieutenant-general and by their own management, as it appears to me, they have now only

one of that rank to offer. Admit, therefore, that some other arrangement relative to Lord Cornwallis's exchange shall have been made in America, no other inconvenience can result but that of our remaining unavoidably indebted for my exchange which will neither hurt Lord Cornwallis, nor in such case, the subject against whom it is proposed to set his lordship; but if no arrangement has been made there, we shall by discharging Lord Cornwallis perform an act of justice and please all parties; and I am very well satisfied from the tenor of several conversations with his lordship he will think himself effectually discharged under our joint declaration or your own singly. I have written to Congress on this subject as follows:

“Within a day or two after the British ministry had determined against accepting Lieutenant-General Burgoyne in exchange for me, an inquiry was made of me [in the Tower] from them, as I believed, whether Dr. Franklin had power to exchange Lord Cornwallis for me; to which I could give no positive answer, and there the subject dropped.

“Lord Shelburne, before I had been to visit Mr. Adams, proposed to grant me a full and unconditional discharge. I replied to his lordship that I dared not accept of myself as a gift; that Congress would make a just and adequate return for my enlargement; that having once offered a British lieutenant-general in exchange for me, I was under no doubt they would give for my reason an officer of the same rank [*sic*]. And I have reason to believe that after my refusal to accept the gift, his lordship understood and expected that such a return would be made, although from the nature of my commitment, it was pretended he could not formally enter into a stipulation. Therefore, immediately after receiving the discharges, I writ to Dr. Franklin and solicited his concurrence for discharging Lt. General Lord Cornwallis. Hitherto I have not received the doctor's answer. Should he concur in my opinion, and join in the necessary act for that purpose, I trust we shall receive the approbation of Congress.”

From former transactions, I take it for granted you are authoriz'd by Congress to make exchange for prisoners in general; that, under that authority, you would readily have consented to exchange a British seaman or soldier in your possession for Mr. Laurens, provided the British ministry would have accepted of such consideration. The difficulty on your part was in what rank to class him. This was solv'd by Congress when they were pleas'd to ascertain that of a lieutenant-general, or the highest value they were possess'd of and to name the particular officer to be set against me, while the intended exchange was in a course of negotiation. Congress, possibly for good reasons, dispose of that officer in another way, but leave one of equal rank to serve the purpose first in view. The general power of exchange still resides in you, the rank for exchange is adjusted by Congress, the offer of Lord Cornwallis is acceptable to the other party. I therefore think, with great deference to your better judgment, there does not remain the shadow of a doubt that you are

authoriz'd, if authoriz'd to work any exchanges, to exchange any British lieut. general for me, and that a clause of reservation is altogether unnecessary.

"But Lord Shelburne mention'd nothing of an exchange expected for you." True, his lordship did not expressly mention an expectation, but I know that after my refusal to accept the intended munificent gift, his lordship did expect, and that he does expect, a proper return in exchange. I believe he expected it even when he offer'd the gift, and I make no doubt but at this moment he wonders at our delay. I submit my reasoning to you; determine as you may on that point, you will clearly perceive "what I think best." I much regret that I have not been able to explain myself in few words; and finally, under the encouragement which you have been pleas'd to give me, I request you will compleat my exchange by discharging Lord Cornwallis from the obligations of his parole as speedily as possible. The act you may still say is *ex post facto*, but a proper whereas, and the acceptance of the other party will make the whole smooth, and I am secure we shall incur no displeasure at home. Until this is done I shall feel myself in a more irksome state than I should have been in had I been enlarged upon my parole, and shall be under continual fear that one day or other there will be diabolically trumped up against me an imputation of having been discharged under a pardon, and I declare that if from casualties there hereafter should appear a necessity for my acting under the commission for treating with Great Britain I should hold myself unqualified until my exchange was fairly and fully liquidated. You certainly judge right, sir. We have no authority; the business rests, as far as I know, with yourself alone, and with you I ought to leave it. My offer to join in the act was made before I had been necessitated to consider the case so fully, and was indeed intended, however improperly, as a kind of guarantee or "*defendit numerus*."

The bishop of St. Asaph is a good man, he deserves the highest acknowledgments of our country, and will always be spoken of by me in particular in sentiments of gratitude. His lordship unsolicited held out the offer of relief to me when he believed me to be in need. \* \* \*

I must not conclude without thanking you heartily for your unexpected tender of a supply of money. I shall certainly take the liberty of calling on you should there be real occasion, but not before. How can I do so, when you say, what indeed I too well know, that we have already pressed rather too hard upon our ally and that we shall still want more than can be conveniently spared to us? At Bruxelles I accidentally met with and purchased a light English post-chaise at a moderate price which has enabled me to travel these 80 posts without very much fatigue. The warm weather has restored the strength of my knees and ankles beyond expectation. I mean to-morrow to descend the Rhone *par eau*, and hope to make the whole intended journey tolerably easy and to regain health. It is my present design to return to America in the

autumn, maugre all hazards. When my plan is fixed I shall take the liberty of asking for your commands, being with the highest degree of respectfulness, sir, your most obedient and most humble servant.

HENRY LAURENS.

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Martin, Governor of North Carolina, to Livingston. \*

NORTH CAROLINA, *June 24, 1782.*

SIR: Your letters of the 18th and 19th of February, covering the resolutions of Congress dated November 28th, January 25th, and February 11th, I was favored with in May last, which I did myself the honor to lay before the general assembly.

The important observations you are pleased to make relative to our affairs, our friends, allies, and enemies have their just weight, which the legislature are very sensible of. To be prepared, therefore, for whatever measures the enemy may take, they have passed a law to draft every twentieth man in the State to serve in our continental battalions eighteen months, as enlistments during the war can not be obtained in this State so as to answer any general purpose. I flatter myself we shall have a respectable body of men soon in the field under Major-General Greene. In August they are to rendezvous. One hundred wagons for the continental service the State is also to furnish, in lieu of one hundred men.

I have given directions for the damages which the inhabitants of this State have received from the British to be ascertained, as nearly as may be, agreeably to your request.

The records of our secretary's office being scattered in different parts, to prevent their falling into the hands of the enemy, during their incursions and marches through the State, I have been prevented from procuring you copies of the papers you mention; but I have sent by Mr. Blount, the bearer and one of our delegates, a map or short sketch of the outlines of the State, extending to the westward as far as Mississippi, the boundary formed by the treaty of Paris in 1763, which we consider ourselves not absolutely bound by, having a previous right by the charter of Charles the Second, which I shall shortly transmit to you. By this our territory extends from sea to sea, that is from the Atlantic to the Western ocean.

I have the honor to be, &c.,

ALEXANDER MARTIN.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 189.



## Washington to Luzerne.\*

HEADQUARTERS, *Newburgh, June 24, 1782.*

SIR: I was in the moment of sending off a despatch to Count de Rochambeau, of which I have the honor to enclose a copy, when your excellency's letter of the 14th instant arrived.

I have only to refer you to my letter of the 20th of April for a perfect statement of matters in this quarter, and as little alteration has taken place since that period your excellency will readily perceive the impracticability of the movement expected by Congress (and mentioned in your letter to Count de Rochambeau), especially, too, when you consider how unprepared we are to encounter any expense that can possibly be avoided.

My ideas on this head, the removal of the French army in our present state of uncertainty, the consequent call of the militia to occupy the posts they would leave, and cover the stores, shipping, &c., which must necessarily remain, and on the general posture of our affairs, were communicated fully to the Secretary of War, when he was here, with a request that he would unfold them to your excellency, as I could not commit them to paper without a cypher.

The enemy, from the best intelligence I get from New York, has made no detachment. Things remain there in *statu quo*. They seem to be suspended and are waiting for orders from their court, which I hear they anxiously expect. As I am just stepping into a boat for Albany and dare not commit more to paper, I have only to give a fresh testimony of the respect and esteem with which I have the honor to be, &c.,

GEORGE WASHINGTON.

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 Franklin to R. R. Livingston.†
PASSY, *June 25, 1782.*

SIR: I have received your respective letters of January 26 and February 13. The first was accompanied with a form of a convention for the establishment of consuls. Mr. Barclay having been detained there six months in Holland, though in continual expectation of returning hither, I have yet done nothing in that business, thinking his presence might be of use in settling it. As soon as he arrives I shall move the completion of it.

The second enforces some resolutions of Congress sent me with it respecting a loan of 12,000,000 of livres to be demanded of France for the current year. I had already received the promise of six millions, together with the clearest and most positive assurances that it was all the King could spare to us; that we must not expect more; that if drafts

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\* 6 Sparks' Dip. Rev. Corr., 73.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 267.



and demands came upon me beyond that sum it behooved me to take care how I accepted them or where I should find funds for the payment, since I could certainly not be further assisted out of the royal treasury. Under this declaration, with what face could I ask for another six millions? It would be saying: You are not to be believed; you can spare more; you are able to lend me twice the sum if you were but willing. If you read my letter to Mr. Morris of this date I think you will be convinced how improper any language capable of such a construction would be to such a friend. I hope, however, that the loan Mr. Adams has opened in Holland for three millions of florins, which it is said is likely to succeed, will supply the deficiency.

By the newspapers I have sent, you will see that the general disposition of the British nation towards us had been changed. Two persons have been sent here by the new ministers to propose treating for peace. They had at first some hopes of getting the belligerent powers to treat separately, one after another, but finding that impracticable they have, after several messengers sent to and fro, come to a resolution of treating with all together for a general peace, and have agreed that the place shall be Paris. Mr. Grenville is now here with full powers for that purpose (if they can be reckoned full with regard to America till a certain act is completed for enabling his majesty to treat, &c., which has gone through the Commons and has been once read in the House of Lords). I keep a very particular journal of what passes every day in the affair, which is transcribing to be sent to you. I shall, therefore, need to say no more about it in this letter except that though I still think they were sincere at first in their desire for peace, yet since their success in the West Indies I imagine that I see marks of their desiring rather to draw the negotiations into length, that they may take the chance of what the campaign shall produce in their favor, and as there are so many interests to adjust it will be prudent for us to suppose that even another campaign may pass before all can be agreed. Something, too, may happen to break off the negotiations, and we should be prepared for the worst.

I hoped for the assistance of Mr. Adams and Mr. Laurens. The first is too much engaged in Holland to come hither, and the other declines serving, but I have now the satisfaction of being joined by Mr. Jay, who, happily, arrived here from Madrid last Sunday. The Marquis de la Fayette is of great use in our affairs here, and as the campaign is not likely to be very active in North America, I wish I may be able to prevail with him to stay a few weeks longer. By him you will receive the journal above mentioned, which is already pretty voluminous, and yet the negotiations can not be said to be opened.

Ireland, you will see, has obtained all her demands triumphantly. I meet no one from that country who does not express some obligations to America for their success.

Before I received your just observations on the subject, I had obtained

from the English ministers a resolution to exchange all our prisoners. They thought themselves obliged to have an act of parliament about it authorizing the king to do it, this war being different from others, as made by an act of parliament declaring us rebels, and our people being committed for high treason. I empowered Mr. Hodgson, who was chairman of the committee that collected and dispensed the charitable subscriptions for the American prisoners, to treat and conclude on the terms of their discharge; and having approved of the draft he sent me of the agreement, I hope Congress will see fit to order a punctual execution of it. I have long suffered with those poor, brave men, who, with so much public virtue, have endured four or five years' hard imprisonment rather than serve against their country. I have done all I could afford towards making their situation more comfortable; but their numbers were so great that I could do but little for each; and that very great villain, Digges, defrauded them of between three and four hundred pounds which he drew from me on their account. He lately wrote me a letter, in which he pretended he was coming to settle with me, and to convince me that I had been mistaken with regard to his conduct; but he never appeared, and I hear he has gone to America. Beware of him, for he is very artful, and has cheated many. I hear every day of new rogueries committed by him in England.

The ambassador from Sweden to this court applied to me lately to know if I had powers that would authorize my making a treaty with his master in behalf of the United States. Recollecting a general power that was formerly given to me with the other commissioners, I answered in the affirmative. He seemed much pleased, and said the king had directed him to ask the question; and charged him to tell me that he had so great esteem for me that it would be a particular satisfaction to him to have such a transaction with me. I have, perhaps, some vanity in repeating this; but I think, too, that it is right that Congress should know it, and judge if any use may be made of the reputation of a citizen for the public service. In case it should be thought fit to employ me in that business, it will be well to send a more particular power, and proper instructions. The ambassador added, that it was a pleasure to him to think—and he hoped it would be remembered—that Sweden was the first power in Europe which had voluntarily offered its friendship to the United States without being solicited. This affair should be talked of as little as possible till completed.

I enclose another complaint from Denmark, which I request you to lay before Congress. I am continually pestered with complaints from French seamen, who were with Captain Cunningham in his first cruise from Dunkirk; from others who were in the *Lexington*, the *Aliance*, &c., being put on board prizes that were retaken, were never afterwards able to join their respective ships, and so have been deprived of the wages, &c., due to them. It is for our national honor that justice should be done them, if possible; and I wish you to procure an order of

Congress for inquiring into their demands, and satisfying such as shall be found just. It may be addressed to the consul.

I enclose a note from M. de Vergennes to me, accompanied by a memoir relating to a Swiss, who died at Edenton. If you can procure the information desired, it will much oblige the French ambassador in Switzerland.

I have made the addition you directed to the cipher. I rather prefer the old one of Dumas, perhaps because I am more used to it. I enclose several letters from that ancient and worthy friend of our country. He is now employed as secretary to Mr. Adams; and I must, from a long experience of his zeal and usefulness, beg leave to recommend him warmly to the consideration of Congress, with regard to his appointments, which have never been equal to his merit. As Mr. Adams writes me the good news that he shall no longer be obliged to draw on me for his salary, I suppose it will be proper to direct his paying that which shall be allowed to M. Dumas.

Be pleased to present my duty to the Congress, and believe me to be, with great esteem and regard,

B. FRANKLIN.

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Franklin to R. Morris.\*

PASSY, *June 25, 1782.*

DEAR SIR: I have long waited here for a good and safe opportunity of writing. I have expected from week to week that the departure of the *Eagle* with the Marquis de la Fayette would be resolv'd on, and that I should have notice of it. In the mean time some important affairs being on the tapis, I omitted writing till they should be a little more advanced. Yesterday M. de Vergennes inform'd me that dispatches would go from his office as to-morrow. I shall use the little time this short notice affords me in writing to you what I can respecting our affairs.

I have received yours of Jan. 7 and March 9; these are all that have this year come to hand from you and are not before acknowledg'd. With this you will receive copies of my preceding dispatches since the commencement of this year. The cargo of Mar. de la Fayette has been all replac'd and the goods lodg'd at Brest. Some part of it was shipt last summer. Want of transports to take the rest occasion'd their being rather luckily left when the convoy sailed that was in great part intercepted by the English. I believe that, tho' part may have since been shipt, none has sail'd, and that some is still in the storehouses. M. de Castries would have had me procure ships, but it has not been in my power. Mr. Barclay, who I had hop'd from time to time would have retur'd to France and assisted in such operations, is still, I sup-

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\* Franklin MSS., Dep. of State.

pose necessarily, detained in Holland. He has, as he writes me, exchanged some of the English goods bought on our acc't by Mr. Neufville for shirts, &c., and he has bought six or seven thousand suits of soldiers' clothes very cheap, which he is shipping with all the other goods from Holland. If he had orders to make such purchases it is very well. His large drafts upon me, however, to pay them, and for a ship, and to discharge other demands, may be very inconvenient and distressing to me before the year is out, as I have had the fullest and fairest warning not to expect or hazard the want of more than the six millions promis'd us for the present year. This, indeed, is duly advanced in quarterly payments. But I am so frequently attack'd by unforeseen demands that I can by no means assure myself of having a sufficiency. I have acquainted Mr. Grand with this opportunity of writing, and I suppose you will receive from him a state of our cash, which I have requested him to send you as open as possible. You will also have from me a copy of the replacing accounts above mentioned if the transcribing can be finished in time.

We have not yet got clear of our miserable affair in Holland. Capt. Gellon, you have heard, went away without taking under his convoy two vessels which he himself had hired to receive out of his ship the goods he had engag'd to carry in her. The owners then stopped the vessels, charg'd high damages, and detain'd the goods. I have receiv'd yesterday from Mr. Barclay an account of Messrs. Neufville, wherein the charges occasion'd by that operation of Gellon's are made to amount to near 40,000 florins. Mr. Barclay proposes to settle it by arbitration. I suppose that by right it is Gellon who should pay whatever may be awarded, but where shall we find him? Perhaps since his success in the West Indies he may venture into an American port, in which case it would be well to secure him and make him account for the £10,000 sterl. he receiv'd of me in consequence of his agreement with Col. Laurens.

Your bills for the 500,000 livres, which you mention, begin to appear. One for \$100,000 in favour of H. Hill is already accepted, with my approbation, but you will learn these matters best from Mr. Grand. We have no money to expect, as you imagined, from the sale of the goods in Holland, they being exchanged and shipt before your letter arrived.

With regard to my contract for furnishing provisions to the French army in America, as Mr. Necker had not so much faith in its being executed as I had, and never advanced one livre on that account, and as I found it would be difficult to settle prices here as you propos'd, I have chosen not to push it. It seems, therefore, not necessary that you put yourself to any further trouble in that affair. If any quantity has been furnished by you, it is a debt contracted with you, and of which you may expect payment there, I being upon the point of liquidating all our accounts with the government here, and giving one general obligation for the whole sum that the king has lent us (exclusive of gifts or sub-

sidies), which sum amounts to \$18,000,000. By the particular obligations I have from time given for separate sums, I had engaged in behalf of the Congress that they should be paid off the first of January, 1788, with the interest at 5 p. ct. By the terms of this general obligation, which is in form of an agreement or contract between the king and the United States, his majesty graciously considering that it may incommode the United States to pay the whole sum at one time, is pleased to agree that it may be paid in 12 different yearly payments, to commence with the first year after the peace, leaving nevertheless to our choice and liberty the paymt. of any greater proportions at more early periods as may be convenient to our finances. His majesty also kindly and generously remits all the interest already accru'd on my former obligations, or that would have accrued thereby, to the end of the war, which is already a considerable sum. With regard to the 10,000,000 borrowed in Holland, we have that at 4 p. cent., and we are to pay the interest annually here, on the 5th of November, the first payment in November next, and after 5 years we are to begin to repay the principal in ten yearly payments, so that in 15 years that debt will be discharged.

The charges of commission and banque on this loan have been considerable, and paid by the king; these also his majesty is pleased to remit. These repeated instances of his goodness towards us make one consider and respect and love him as our father. I shall send you a copy of this contract as soon as it is completed. Perhaps the first payment may be settled to be the third or fourth year after the peace. And since the king takes every opportunity of showing his good will to us, I dread disobliging him again, as I have already too often done, by large and repeated demands; and therefore hope your drafts will not exceed what I shall be able to pay.

Notwithstanding what I wrote in mine of the 30th of March, the German troops are embark'd. Yet my information was good at the time. There has been a change of orders.

Capt. Frey, whom you recommended to me, had formerly taken up of me 20 guineas on a bill he drew upon Bordeaux. It came back protested, and he went to America. To oblige him, on receipt of your letter in his favour, I paid him the sum you mentioned as due to him, by an order on my banker, in whose hands he promis'd to leave the 20 guineas he owed me. But he took the whole, left nothing, and I can not recover it. If anything be, as he says, still due to him then pray stop that sum of 20 guineas out of it.

The books you wrote for have been sent. With this you will receive a kind of table, which is said to contain very clearly and concisely all the true principles of finance.

Your boys continue well. Mr. Ridley is still in Holland.

For what relates to war and peace, I must refer you to Mr. Livingston, to whom I write fully. I will only say that tho' the English a few



months since seemed desirous of peace, I suspect they now intend to draw out the negotiations into length, till they can see what this campaign will produce. I hope our people will not be deceived by fair words, but be on their guard, ready against every attempt that our insidious enemies may make upon us.

With the greatest and most sincere esteem and affection, I am, &c.

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Jay to Livingston.\*

PARIS, *June 25, 1782.*

DEAR SIR: My letters from Madrid, and afterwards a few lines from Bordeaux, informed you of my being called to this place by a pressing letter from Dr. Franklin.

The slow manner of travelling in a carriage through Spain, Mrs. Jay's being taken with a fever and ague the day we left Bordeaux, and the post horses at the different stages having been engaged for the Count du Nord, who had left Paris with a great retinue, preventing my arriving here until the day before yesterday.

After placing my family in a hotel, I immediately went out to Passy and spent the remainder of the afternoon in conversing with Dr. Franklin on the subjects which had induced him to write for me. I found that he had then more reason to think my presence necessary than it seems to be at present.

Yesterday we paid a visit to the Count de Vergennes. He gave me a very friendly reception, and entered pretty fully with us into the state of the negociation. His answer to the British minister appeared to me ably drawn. It breathes great moderation, and yet is so general as to leave room for such demands as circumstances, at the time of the treaty, may render convenient.

There is reason to believe that Mr. Fox and Lord Shelburne are not perfectly united, and that Rodney's success will repress the ardor of our enemies for an immediate peace. On leaving the Count, he informed us that he was preparing despatches for America, and that our letters, if sent to him to-morrow morning, might go by the same opportunity. This short notice, together with the interruptions I meet with every moment, obliged me to be less particular than I could wish; but as Dr. Franklin also writes by this conveyance, you will doubtless receive from him full intelligence on these subjects.

My last letters also informed you that the court of Spain had commissioned the Count d'Aranda, their ambassador here, to continue with me the negociation for a treaty with our country. I have not yet seen him, and Dr. Franklin concurs with me in opinion that it is more expedient to open this business by a letter than by a visit.

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\*MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 451, with verbal changes; 2 Corr. and Pub. Papers of John Jay, 312.



Mr. Adams can not leave Amsterdam at present, and I hear that Mr. Laurens thinks of returning soon to America, so that I apprehend Dr. Franklin and myself will be left to manage at least the skirmishing business, if I may so call it, of our commission, without the benefit of their counsel and assistance. You know what I think and feel on this subject, and I wish things were so circumstanced as to admit of my being indulged.

You may rely on my writing often, very often. My letters will now have fairer play, and you will find that I have not ceased to consider amusement and rest as secondary objects to those of business.

I shall endeavor to get lodgings as near to Dr. Franklin as I can. He is in perfect good health, and his mind appears more vigorous than that of any man of his age I have known. He certainly is a valuable minister, and an agreeable companion.

The Count d'Artois and Duke de Bourbon are soon to set out for Gibraltar. The siege of that place will be honored with the presence of several princes, and therefore the issue of it (according to the prevailing modes of thinking) becomes in a more particular manner interesting. The Duke de Crillon is sanguine; he told me that, in his opinion, Gibraltar was far more pregnable than Mahon. It is possible that fortune may again smile upon him.

I am, dear sir, &c.,

JOHN JAY.

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Lafayette to Livingston. \*

ST. GERMAIN, *June 25, 1782.*

DEAR SIR: It is needless for me to enter into such details as will of course be communicated to Congress by the minister. Dr. Franklin will doubtless be very particular. But as Congress have been pleased to order that I should give my opinion, I now have the honor to tell you what I think upon the several transactions that have lately taken place.

Before the change of ministry the old administration had sent people to feel the pulse of the French court and of the American ministers. They had reasons to be convinced that neither of the two could be deceived into separate arrangements that would break the union and make both their enemies weaker. In the meanwhile a cabal was going on against the old ministry. New appointments took place, and it is not known how far Lord North would have gone towards a general negotiation.

It had ever been the plan of the opposition to become masters of the cabinet. But, while every one of them united against the ministry, they committed this strange blunder, never to think what would be-

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 393; 2 La Fayette's Memoirs, 27.

come of them after their views had been fulfilled. They even made ministers and upon the same day they did not know how to divide the prey; upon the second they perceived that they had different interests and different principles to support; upon the third they were intriguing against each other. And now the British ministry are so much divided that nothing but their disputes can account for their indecision in public affairs.

The Marquis of Rockingham has nothing of a minister but the parade of levees and a busy appearance. He is led by Mr. Burke. He is also upon the best terms with Charles Fox. The principles of the latter every body knows. That party, it appears, is on our side of the administration.

The Duke of Grafton and Lord Camden think it their interest to support Lord Shelburne, whom, however, they inwardly dislike. The Earl of Shelburne seems to have by far the greater share in the king's confidence. He is intriguing, and upon a pretence to follow Lord Chatham's opinions he makes himself agreeable to the king by opposing American independence. He is, they say, a faithless man, wishing for a continuation of the war, by which he hopes to raise his own importance; and should the Rockingham party fall, should Lord Shelburne be found to divide power with another party, he is not far, it is said, from uniting with Lord North and many others in the old administration.

The king stands alone, hating every one of his ministers, grieving at every measure that combats his disposition, and wishing for the moment when the present ministry, having lost their popularity, will give way to those whom he has been obliged to abandon for a time.

Such is the position in which they stand, and I am going to relate the measures they have taken towards negotiation.

It appears Lord Shelburne on the one hand and Charles Fox on the other went upon the plan which Lord North had adopted, to make some private advances, but they neither communicated their measures to each other, nor said at first any thing of it in the cabinet. Count de Vergennes said that France could never think to enter into a treaty but in concurrence with her allies, and upon being told that America herself did not so much insist upon asking for independence, he answered, "People need not ask for what they have got." Mr. Adams in Holland and Dr. Franklin in Paris made such answers as were consistent with the dignity of the United States. But they, as well as Count de Vergennes, expressed a sincere desire for peace upon liberal and generous terms.

From the very beginning Mr. Adams has been persuaded that the British ministry were not sincere, that the greater part of them were equally against America as any in the old administration, and that all those negotiations were not much to be depended upon. His judgment of this affair has been confirmed by the events, though at present the negotiation has put on a better outward appearance.

Dr. Franklin's pen is better able than mine can be to give you all the particulars through which Mr. Grenville, a young man of some rank, is now remaining in Paris, with powers to treat with his most christian majesty and all other princes or states now at war with Great Britain.

I shall only remark that in late conversations with Count de Vergennes Mr. Grenville has considered the acknowledgment of independence as a matter not to be made a question of, but to be at once and previously declared. But upon Count de Vergennes's writing down Mr. Grenville's words to have them signed by him the gentleman, instead of this expression, "the King of England has *resolved* at once to acknowledge," &c., insisted to have the words *is disposed* made use of in what he intended to be considered as his official communication. He has also evinced a backwardness in giving Dr. Franklin a copy of his powers; and their ministry are backward also in bringing before Parliament a bill respecting American independence; so that it does not show a great disposition towards a peace the preliminaries of which must be an acknowledgment of America as a separate and independent nation.

It is probable that within these two days Dr. Franklin had some communication with Mr. Grenville which may throw some light upon the late points I have just now mentioned.

Mr. Jay is arrived from Madrid. Mr. Laurens, it seems, intends to return home. Mr. Adams's presence in Holland is for the moment necessary. A few days will make us better acquainted with the views of Great Britain; and since the ministers from Congress have thought that I ought for the service of America to remain here some time longer, I shall, under their direction, devote myself to promote the interests of the United States. The footing I am upon at this court enables me sometimes to go greater lengths than could be done by a foreigner. But unless an immediate earnest negociation, which I am far from hoping, renders my services very useful I will beg leave to return to my labors and be employed in a shorter way to ensure the end of this business than can be found in political dissertation.

I have communicated the opinion of Mr. Adams, such as I found it in his letter. Dr. Franklin's ideas will be presented by himself, and also those of Mr. Jay, both of which must be preferable to mine, though I do not believe they much differ. But from what I have collected by communications with your ministers, with those of the French, and by private intelligence, I conclude—

1st. That the British ministry are at variance between themselves, embarrassed upon the conduct they ought to hold, and not firm in their principles and their places.

2dly. That negotiations will go on shortly, establish principles, and facilitate a treaty; but that the King of England and some of the ministers have not lost the idea of breaking the union between France and the United States.

3dly. That the situation of England, want of men and money, and the efforts France is about to make will reduce the former to a necessity for making peace before the end of next spring.

America will no doubt exert herself and send back every emissary to her plenipotentiaries here; for the ministry in England are now deceiving the people with the hope that Sir Guy Carleton is going to operate a reconciliation and with other stories of the same nature.\*

In the course of this affair we have been perfectly satisfied with the French ministry. They have proved candid and moderate. Mr. Jay will write about Spain. Very little is to be said of her, and by her very little is to be done. It appears Holland is going on well, and I believe Mr. Adams is satisfied, except upon the affair of money, which is the difficult point and goes on very slowly.

By all I can see I judge that if America insists on a share in the fisheries she will obtain it by the general treaty. This point is too near my heart to permit me not to mention it.

The news of Count de Grasse's defeat has been very much felt in France, and the whole nation was made truly unhappy by this disagreeable event.† The general cry of the people was such that I do not believe any French admiral will, in any case, take upon himself to

\* England proposed secretly to France to make a separate peace on very favorable conditions. M. de Vergennes rejected this proposal (letter to M. de la Luzerne, the 23d March) and it was feared in France the Americans would not refuse the same kind of offer. It was therefore settled that all the allies were to form a treaty at the same time (letter of 29th April). A resolution in favor of peace with America had passed through Parliament in February. A bill (*enabling act*) authorized the king to treat with the *thirteen provinces*. The basis of the negotiation was to be the acknowledgment of their independence. At the period of Mr. Grenville's coming to Paris, Sir Guy Carleton, commander of the English forces in the Atlantic Ocean, appointed with Admiral Digby to a *commission of peace*, arrived at New York, opened a correspondence with General Washington (7th May), and made several vain attempts to enter into a communication with Congress. He was not listened to as a negotiator, and he found himself, by degrees, reduced to conclude, at a later period, some merely military conventions, which preceded the evacuation of the Continent. (See Vol. VIII of the writings of Washington, *passim* and appendix No. IX. (2 La Fayette's Memoirs, 32.)

† This defeat took the 12th April, 1782, in that portion of the sea that lies between Guadeloupe, la Dominique les Saintes, and Marie-Galante. The Count de Grasse charged with conducting a corps of French troops to San Domingo, where a squadron and some Spanish troops were awaiting him, to attempt the conquest of Jamaica, sailed from the Fort Royal of la Martinique. He had sent off his convoy under escort of some of his ships, and his fleet was beyond the reach of the enemy, when one of his vessels, the *Zélé*, having struck against another ship, was on the point of foundering. Instead of sacrificing it, after withdrawing the crew, the Count de Grasse thought he ought to bring his twenty-nine ships to its assistance. Admiral Rodney took advantage of this imprudence. He had thirty-six vessels, of which six were three deckers. After a hard conflict, the Count de Grasse, who was on board the *Ville de Paris*, of a hundred guns, was obliged to lower his flag, and seven of his other ships underwent the same fate. He only surrendered after having lost the greater part of his crew, and was treated in England with every demonstration of respect. (2 La Fayette's Memoirs, 35.)

surrender his own ship. The people at large have perhaps been too severe, and government have not pronounced, as there is to be a court-martial. But I was happy to see a patriotic spirit diffused through every individual. The states of several provinces, the great cities, and a number of different associations of men, have offered ships-of-the-line to a greater number than have been lost. In the meanwhile, government are using the greatest activity, and this has given a spur to the national exertions. But, independent of the stroke in itself, I have been sighing upon the ruin of the plans I had proposed towards a useful coöperation upon the coasts of America. My schemes have been made almost impracticable, and my voyage (the case of negotiations excepted) has not been so serviceable to the public as I had good reasons to expect.

The Spaniards are going at last to besiege Gibraltar. The Count d'Artois, the King of France's brother, and the Duc de Bourbon, a prince of the blood, are just setting out to serve there as volunteers. They intend to begin in the first days of September; so that we may expect, one way or other, to get rid of that incumbrance, and let the siege succeed or miscarry we may expect hereafter to make use of the combined forces of the House of Bourbon.

We are waiting for intelligence from the East Indies, where it appears we have got a superiority, and are entitled to expect good news from that quarter. The enemy has some dispatches by land, but either our operations are of a later date or they only have published a part of their intelligence.

*Paris, June 29th.*—Dr. Franklin and Mr. Jay will acquaint you with Count de Vergennes's answer to Mr. Grenville, and also with what Mr. Grenville has said respecting the enabling act. This act and also the answer to Count de Vergennes are every day expected in Paris, and the way in which both will be expressed may give us a pretty just idea upon the present intentions of the British ministry. The only thing that remains for me to inform you of is that, under the pretence of curiosity, admiration, or private affairs, England will probably send emissaries to America, who cannot hope to insinuate themselves under any other but a friendly appearance.

With the greatest regard, &c.,

LA FAYETTE.

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Franklin to Oswald.\*

PASSY, *June 26, 1782.*

DEAR SIR: In the note that you show'd me it is said that "Mr. Oswald may be vested with any character or commission that he and Dr. F. shall think proper," or to that purpose, and you desire my senti-

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\* Franklin MSS., Dep. of State, 1.

ments. We should be willing to treat with such persons as the king may think fit to appoint. I am, however, very sensible of the kindness that appears in Lord Shelburne's offering me any appearance of influence in that choice, and I esteem it as a proof of his sincere desire of making with us a good peace. I can have no objection to Mr. Grenville, who is already appointed, *to treat with the King of France or his ministers, or the ministers of any other prince or state whom it may concern*, as he informs me, and as soon as the enabling act is pass'd, and the *States of America* are acknowledg'd to be such, I suppose the words of that commission may be clearly interpreted to mean and include those States, in the understanding of your Government, with those of Spain and Holland. At present it seems dubious, and as your long residence in America has given you a knowledge of that country, its people, circumstances, commerce, &c., which added to your experience in business may be useful to both sides in facilitating and expediting the negotiation, I can not but wish that you may be join'd with Mr. Grenville in the commission, at least for the part which relates to America; or, if that should seem in any respect inconvenient, then that you might be, in a distinct commission, named as plenipotentiary to treat with the plenipotentiaries of America particularly. This is what occurs to me.

With great and sincere esteem, I have the honor to be, dear sir, yours, etc.

[Endorsed.] This draft being shown to Mr. Oswald and he not choosing that his showing me Lord S.'s note should be mentioned, I first cross'd it out, but afterwards new model'd the whole. The draft is in red ink.

[Franklin's letter to Oswald of June 27, 1782, is given *infra*, in Franklin's Journal under date of July 1, 1782.]

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Jay to Montmorin.\*

PARIS, *June 26, 1782.*

DEAR SIR: I devote this first leisure moment which has occurred since my arrival to the pleasure of writing a few lines to you.

Our journey was pursued without any avoidable intermission to Bayonne, where it became advisable to rest a few days, and where we received many kind attentions from Mons. Formalaguer, to whom it seems you had been so obliging as to make friendly mention of us. That city is turning its attention to the American trade, and its situation in certain respects is favorable to that design.

Your friend, Mons. Risleau, at Bordeaux, pleased me much; there is a frankness in his manner and a warmth about his heart that is very engaging. I made some agreeable acquaintance in that city, and

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\*2 Jay's Life, 105; 2 Corr. and Pub. Papers of John Jay, 314.



wish I could have staid longer with them. Commerce appears to flourish there, and if their trade with America could be properly protected there is reason to think that it would soon become an object of great importance.

On leaving Bordeaux, Mrs. Jay caught an intermitting fever which, with the great demand made for post horses made by the Prince du Nord, delayed us greatly.

I went with Dr. Franklin to Versailles the day after our arrival. The minister spoke of you in terms very friendly and very just, and my next visit would have been to the Countess de Montmorin, but as we learned that a mail was to be dismissed for Philadelphia to-day, we returned immediately to prepare our despatches, so that I have been obliged to deny myself the honor of paying my respects to a lady whose character and connexion with you render me particularly desirous of seeing. To-morrow we are promised a visit from the Marquis de la Fayette and his lady, after which I shall take the first opportunity "*me poner a los pies de la Condesa Le Montmorin.*" I am not sure that this is good Spanish; if not, I wish the inspectors of the post-office may be so obliging as to correct it.

I had written thus far when a variety of interruptions prevented my proceeding for several days, and then I became violently attacked with the influenza, from which I am now just beginning to recover. It has been very severe on all my family. Mrs. Jay has been obliged to struggle with that and the intermittent fever together, and this is the first day she has been out of the house since our arrival.

I am very much mortified at not having yet seen the Countess de Montmorin. The day before I was taken sick I did myself the honor of calling at her house, but she was from home. As soon as the doctor sets me at liberty, the first use I will make of it will be to renew my visit.

What I have seen of France pleases me exceedingly. Dr. Franklin has received some late noble proofs of the king's liberality in the liquidation of his accounts, and the terms and the manner of paying the balance due on them. No people understand doing civil things so well as the French. The aids they have afforded us received additional value from the generous and gracious manner in which they were supplied, and that circumstance will have a proportionable degree of influence in cementing the connexion formed between the two countries.

I think the late resolutions and conduct of America, respecting Mr. Carlton's proposed correspondence with Congress, must have given you pleasure. As Mons. de Clouard passed through Spain, he doubtless brought you copies. Some letters and instructions I have received by the same vessel contain strong evidence of the determination of Congress to consult the interest and wishes of France upon all occasions.

I have seen and dined with the Court d' Aranda; his conversation leads me to suspect that his court is, at last, in earnest. This, however, is a question which facts and not words must determine. It is hard to

judge of men, especially of old politicians ; at present I like the count, for he appears frank and candid, as well as sagacious. They say he is a little obstinate, but, for my part, I prefer plain-dealing obstinate men to those unstable ones who, like the moon, change once a fortnight, and are mere dispensers of borrowed light.

I can not forbear mentioning that I am particularly indebted to the polite attention of your friend Count d' Estaing. He is at Passy, enjoying *otium cum dignitate*. There is a singular taste displayed in the ornaments of his house. The very walls (like Portius in Addison's Cato) are ambitiously sententious, and show that they do not belong to an ordinary man.

I am, &c.,

JOHN JAY.

Morris to the Governor of Rhode Island.\*

OFFICE OF FINANCE, *June 26, 1782.*

SIR: Finding that your State has made advances of pay to their troops, it becomes my duty to inform your excellency that Congress included in their estimates, amounting to eight millions, the sums necessary for paying the army ; of consequence there can be no use in making such payments by the several States. I must also observe, sir, that partial payments or supplies of any kind have been found by experience to give general dissatisfaction, and therefore the determination to discontinue them has been long since adopted.

The variety of accounts also is dangerous and expensive, and therefore to be avoided. I might add other reasons why such payments by the States can not be admitted in abatement of their respective quotas. The same reasons also operate against the admission of charges for supplies of any kind, or certificates thereof as deductions from those quotas. I have written to Mr. Olney on the subject, the 23d instant ; and am now to pray your excellency's attention and assistance to prevent such irregularities in future. The more our operations are simplified, the better will they be understood, and the more satisfactorily will they be conducted. Congress have asked for men and money. Those granted, they will ask for nothing more, and I persuade myself that if consistently with the Confederation they could confine their requisitions to money alone, the people at large would derive relief from it, the legislature would act with greater ease, and our resources be applied with greater vigor.

I have the honor to be, &c.,

ROBERT MORRIS.

\* 6 Sparks' Dip. Rev. Corr., 495.

## Franklin to Cooper.\*

[Extract.]

PASSY, *June 28, 1782.*

Our public affairs are in a good situation here. England, having tried in vain to make a separate peace with each of the powers she is at war with, has at length agreed to treat for a general peace with them altogether and at Paris. If we all continue firm in the resolution not to separate, we shall command the terms. I have no doubt of this steadiness here; and though we are told that endeavours are making on your side the water to induce America to a reunion on the terms now granting to Ireland, and that powers are sent to General Carleton for that purpose, I am persuaded the danger of this project will appear so evident, that, if offered, it will be immediately rejected. We have no safety but in our independence; with that we shall be respected, and soon become great and happy. Without it, we shall be despised, lose all our friends, and then either be cruelly oppressed by the king, who hates and is incapable of forgiving us, or, having all that nation's enemies for ours, shall sink with it.

I am ever, my dear friend, yours, most affectionately.

B. FRANKLIN.

## Franklin to Livingston.†

PASSY, *June 28, 1782.*

SIR: In mine of the 25th instant, I omitted mentioning, that, at the repeated earnest instances of Mr. Laurens, who had given such expectations to the ministry in England, when his parole or securities were discharged, as that he could not think himself at liberty to act in public affairs, till the parole of Lord Cornwallis was absolved by me in exchange, I sent to that general the paper, of which the inclosed is a copy; and I see, by the English papers, that his lordship, immediately on the receipt of it, appeared at court, and has taken his seat in the House of Peers, which he did not before think was warrantable. My authority for doing this appeared questionable to myself, but Mr. Laurens judged it deducible from that respecting General Burgoyne, and by his letters to me seemed so unhappy till it was done, that I ventured it, with a clause, however, as you will see, reserving to Congress the approbation or disallowance of it.

The enabling act is now said to be passed, but no copy of it is yet received here, so that as the bill just printed has suffered alterations in passing through Parliament and we know not what they are, the treaty with us is not yet commenced. Mr. Grenville expects his courier in a few

\* 9 Sparks' Franklin, 349.

† 9 Sparks' Franklin, 346.

days with the answer of his court to a paper given him on the part of this. That answer will probably afford us a clearer understanding of the intentions of the British ministry, which for some weeks past have appeared somewhat equivocal and uncertain. It looks as if, since their late success in the West Indies, they a little repented of the advances they had made in their declarations respecting the acknowledgment of our independence, and we have pretty good information that some of the ministers still flatter the king with the hope of recovering his sovereignty over us on the same terms as are now making with Ireland. However willing we might have been at the commencement of this contest to have accepted such conditions, be assured we can have no safety in them at present.' The king hates us most cordially. If he is once admitted to any degree of power and government among us, however limited, it will soon be extended by corruption, artifice, and force, till we are reduced to absolute subjection, and that the more easily as by receiving him again for our king we shall draw upon us the contempt of all Europe, who now admire and respect us, and shall never again find a friend to assist us.

There are, it is said, great divisions in the ministry on other points as well as this, and those who aim at engrossing the power, flatter the king with this project of reunion, and, it is said, have much reliance on the operations of private agents sent into America to dispose minds there in favor of it, and to bring about a separate treaty there with General Carleton. I have not the least apprehension that Congress will give in to this scheme, it being inconsistent with our treaties, as well as with our interest; but I think it will be well to watch the emissaries, and secure or banish immediately such as shall be found tampering and stirring up the people to call for it.

The firm, united resolution of France, Spain, and Holland, joined with ours, not to treat of a particular but a general peace, notwithstanding the separate tempting offers to each, will in the end give us the command of that peace. Every one of the other powers sees clearly its interest in this, and persists in that resolution. The Congress, I am persuaded, are as clear-sighted as any of them, and will not depart from the system which has been attended with so much success, and promises to make America soon both great and happy.

I have just received a letter from Mr. Laurens, dated at Lyons, on his journey into the south of France for his health. Mr. Jay will write also by this opportunity.

With great esteem, I have the honor to be, &c.

B. FRANKLIN.

Jay to Livingston.\*

PARIS, *June 28, 1782.*

DEAR SIR: I had the pleasure of writing to you on the 25th instant. As the express which is to carry that letter will not depart till to-morrow morning I have a good opportunity of making this addition to my despatches.

Agreeably to the desire of Congress, as well as my own wishes, I have had the satisfaction of conferring with the Marquis de la Fayette on several interesting subjects. He is as active in serving us in the cabinet as he has been in the field, and (there being great reason to believe that his talents could be more advantageously employed here than an inactive campaign in America would admit of there) Dr. Franklin and myself think it advisable that he should postpone his return for the present. The marquis inclines to the same opinion, and, though anxious to join the army, will remain here a little longer.

The intentions of the British ministry with respect to us are by no means clear. They are divided upon the subject. It is said that Mr. Fox and his friends incline to meet us on the terms of independence, but that Lord Shelburne and his adherents entertain an idea of making a compact with us similar to that between Britain and Ireland, and there is room to apprehend that efforts will be made to open a negociation on these subjects at Philadelphia. When it is considered that the articles of a general peace can not be discussed in America and that propositions for a separate one ought not to be listened to, it is evident to me that their sending out commissions can be calculated for no other purpose than that of intrigue.

I should enlarge on this topic were I not persuaded that you will see this matter in the same point of view, and that any proposition which they may offer will be referred to the American commissioners in Europe. How far it may be prudent to permit any British agents to come into our country on such an ostensible errand is an easy question, for where an unnecessary measure may be dangerous it should be avoided. They may write from New York whatever they may have to propose, and may receive answers in the same manner.

If one may judge from appearances, the ministry are very desirous of getting some of their emissaries into our country, either in an avowed or in a private character, and, all things considered, I should think it most safe not to admit any Englishman in either character within our lines at this very critical juncture. A mild and yet firm resolution on the impropriety and inexpediency of any negociation for peace in America would give great satisfaction to our friends and confirm their confidence in us. We, indeed, who know our country would

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 453; 2 Corr. and Pub. Papers of John Jay, 317.

apprehend no danger from anything that British agents might say or do to deceive or divide us, but the opinions of strangers, who must judge by appearances, merit attention. And it is doubtless best not only to be steadfast to our engagements, but also to avoid giving occasion to the slightest suspicions of a contrary disposition. An opinion does prevail here that in the mass of our people there is a considerable number who, though resolved on independence, would nevertheless prefer an alliance with England to one with France, and this opinion will continue to have a certain degree of influence during the war. This circumstance renders much circumspection necessary.

I am, with great regard and esteem, dear sir, &c.,

JOHN JAY.

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Dana to Livingston.\*

ST. PETERSBURGH, *June 28, 1782.*

SIR: Immediately after we had received intelligence here of the important change in the councils and in the system of Great Britain, I consulted my correspondent (the Marquis de Verac) upon the expediency of disclosing my public character without further delay to her majesty's principal minister. He gave me his opinion freely and candidly. For your information I need only say that it is the same in every respect with his former one, which you will find in his letter to me of the 12th of September last, and in mine of September 15th to the President of Congress.

I cannot take upon me to say that his opinion is not well founded. My private sentiment then was that that event could not fail to occasion a correspondent change in her majesty's system also; but I knew my means of information were not as good as those of my correspondent, and that, though everyone seems to think the mediation of her majesty between Great Britain and Holland was in effect at an end, yet in form it was still kept up, so that the reasons against disclosing my character, mentioned to you in my letter [No. 1] of March 5th, might still be supposed to have some influence. This determined me to conform to his advice.

However, I could not think of resting totally inactive in this state of things; though I thought it not prudent to make any official communications, yet it could not be amiss to endeavor at this time to turn, if possible, the thoughts of those in government upon our affairs, and to refute certain assertions of our enemies which had remained without contradiction here, and by this means to prepare the way for the former. It might at least serve to sound the sentiments of the ministers. With these views I have thrown the few following reflections upon

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 625.



paper, three translations of which into French have, I am assured, been placed in the very hands I wished to place them, and that they have not been unacceptable.

## REFLECTIONS.

When Great Britain engaged in a war with her late colonies, either to obtain allies or to prevent new enemies rising up against her, she was desirous to have it believed that she was contending in the common cause of all the maritime powers of Europe. Spain she endeavored to alarm by suggesting that the revolt in America would be a fatal example to all her colonies in the New World, and if it had not such an effect upon them they would at least be liable to be conquered one after another by their new neighboring empire, so that, in one way or the other, Spain would lose her American colonies if the independence of the United States should be established. To Holland she held up the danger her peculiar commerce and her navigation would be exposed to from the enterprising spirit of the Americans, who would not fail to become soon her rivals throughout all Europe. To the nations about the Baltic she alleged that the free commerce of America would be highly prejudicial to their commerce, *because many of the commodities of America, being of the same nature with theirs, they would everywhere in the markets of Europe come into concurrence with them.* She has been more particular with regard to Russia, and asserted that this empire can derive no possible benefit from a free and direct commerce with America, and that with or without this commerce Russia will be in the same circumstances *because Great Britain, who now takes off, will continue to take off all the superfluous productions and manufactures of Russia.*

The conduct of Spain and of Holland is the best comment upon the declarations of the British which respect those nations. I shall confine myself, therefore, to those which respect the nations about the Baltic, and particularly Russia. A few short reflections upon these reasonings, or rather assertions, may perhaps show the mere fallacy of them.

Let it be admitted that Great Britain will in fact continue to take off all the superfluous productions and manufactures of Russia. Does it follow from hence, that Russia can have no interest in a free and direct commerce with America? Will it make no difference to the interest of Russia whether she disposes of her commodities to Great Britain alone, or to Great Britain and America at the same time? Will not the concurrence of America in her ports give an additional advantage to Russia? Will it not enhance the price of her commodities? Will it not increase the demand for them? And will not this increased demand be the means also of increasing the quantity of her productions and manufactures? If these things do not follow, all the reasonings of the best writers upon the principles of commerce, showing the great benefits every nation derives from the concurrence of purchasers of her commodities, are false and delusive. Besides, how is Russia paid for her productions and manufactures? Is it not by exchange in a very great proportion for foreign commodities? Are not many of these foreign commodities of the peculiar production or manufacture of America, such as rice, indigo, sugar, coffee, cocoa, pimento, cochineal, and all sorts of dyeing woods? Does it make no difference to the interest of Russia whether she receives those articles directly from the countries which produce them, or in circuitous voyages through Great Britain, and consequently from a third hand? Does not this course draw along with it double freight, double insurance, double commissions, and are not all the other charges attending a voyage (to say nothing of additional duties) ordinarily doubled by means of this circuitous course? Will not the price of such American commodities be increased by these means when they arrive in Russia, at the most moderate computation, at the rate of twenty-five per cent.? Will not Russia, therefore, necessarily lose at that same rate upon all her commodities sold to Great Britain in exchange for such American commodities? And will not this contribute in a great measure to keep the course of exchange against her? And will she not lose also the

advantage she would infallibly derive from the concurrence of the Americans in her ports? Is it not worthy of consideration whether this extra price of materials necessary for the manufactures of Russia, will not render them so much dearer to foreign nations, and whether this circumstance will not expose her to the danger of being rivaled in those very commodities in other countries? In one word, is it not of the last importance to a nation to draw all such foreign commodities as she wants from the first hand, or from their proper source? What credit, then, is to be given to the assertion of the British, viz, that this empire can derive no benefit from a free and direct commerce with America, and that, without this commerce, Russia will be in the same circumstances?

Further, if it is true that many of the productions of America are of the same nature with those of Russia, and that a concurrence of those articles on the part of America in the markets of Europe, would be prejudicial to the commerce of Russia, does it follow from hence that it would not be the interest of Russia to have a free and direct commerce with America? Let us take one article by way of example—hemp, which is the foundation of the principal commerce of Russia. That within some parts of the extensive territories of the United States, both the soil and climate may be adapted to the cultivation of hemp of the best quality can not reasonably be doubted. Is it not, then, of the highest importance to Russia to turn the thoughts of the Americans from the cultivation of this plant, or in other words, to make it their interest not to cultivate it? That Russia can do this by means which may be pointed out, and in the use of which both nations may promote their general interests, is certain. But will the exclusion of the Americans from a free and direct commerce have this effect? Will the sending them to Great Britain, or to any other country in Europe than Russia, for the commodities of Russia, but especially for her hemp, have a tendency to that effect? Will not the Russian hemp, in consequence of such measures, be burthened with all the charges above mentioned when it comes to the hands of the Americans, that is to say, with the extraordinary charge of twenty-five per cent.? And will not this twenty-five per cent. in fact operate in the nature of a bounty to that amount to encourage the cultivation of American hemp?

Besides, if America should find a combination to exclude her from the benefit of a free and direct commerce with Russia, is it not natural to suppose she would endeavor to relieve herself from the effects of such an inequitable system by vigorously adopting proper measures for that purpose? And could she not do it? Might she not begin by profiting of the errors of such an exclusive system; to the encouragement that system would give to the cultivation of her hemp, could she not superadd a duty upon all Russian hemp which should be imported into America? The effects of such a policy on the one part and on the other, cannot possibly escape the penetration of those whose business it is maturely to consider these things. But may it not be asked, if the mischiefs pointed out above should in fact take place, are there any benefits which Russia could derive from such a system, which would more than counterbalance them? And what are these benefits? What, for instance, could compensate Russia for the damage she would sustain by losing the supply of hemp for the American market, a market which will be rapidly increasing, while that of Great Britain, to say the least, has come to a full stand? Would not two other important supplies be in danger of sharing the same fate, viz., sailcloth and cordage? All these three articles have hitherto been imported in great quantities into America, sailcloth for the use of all their navigation, and there is scarce any kind of Russian manufactures which they have not imported, and which they do not want. Finally, it is certain, that if America had continued under the dominion of Great Britain, that very concurrence in the markets of Europe, which the British pretend will be a consequence of the independence of America, would have taken place, especially in the articles of pitch, tar, turpentine, iron, ship timber, masts, spars, bowsprits, and in general of all naval stores.

Every one knows that Great Britain drew great quantities of all these commodities from the northern nations. It is not less certain that she drew some of all of them

from her late colonies. But these commodities are so bulky, and of so little intrinsic value, that it was utterly impossible for the Americans to transport them across the Atlantic so cheap as the nations of Europe which wanted them, and Great Britain in particular, could import them from the northern nations. This kind of commerce, therefore, would long since have utterly failed, and been left free for those nations, if, to prevent this, Great Britain had not adopted the policy of granting large bounties upon all those commodities, iron alone excepted, when imported into Great Britain from America. It was her interest to do this, because at the same time that she was thereby encouraging the commerce of her colonies, she was rendering a great benefit to her own manufactures, in which she paid the Americans for those commodities, so that her bounties turned to the account of both parts of the empire at once. Besides, they made her less dependent upon any foreign nations for those commodities, and she was too well acquainted with her commercial and political interests ever to lose sight of that object. She could not grant a bounty upon iron without injuring her own mines ; she, therefore, adopted the method of exempting the iron of America from duties which she imposed upon all iron imported from any foreign country, and these duties being considerable, they had a like effect upon American iron, as the bounties had upon the other commodities. This system was calculated gradually to destroy the commerce of the northern nations with Great Britain.

Now is it not certain, take away the dependence of America upon the empire of Great Britain, and you take away at the same time the interest of Great Britain, to give the preference to those American commodities ? She will then procure them where she can procure them cheapest, that is from the northern nations. When the British bounties, therefore, cease, the commerce of America with Europe in those articles will cease with them. And thus those nations will nowhere be troubled with the dangerous concurrence in the markets of Europe on the part of America which has been so much talked of by the British, and may have influenced the political systems of those powers. During the time America was dependent upon the British empire she has always imported great quantities of iron and steel from Sweden through Great Britain. She will certainly continue to import those articles when she can obtain them so much cheaper by a direct commerce with Sweden or Russia. Is it not, then, clear, that the independence of the United States, in whatever view it is properly considered, will turn to the benefit of all Europe, Great Britain alone excepted ; that the nations about the Baltic, Russia above all, if they adopt in season a wise policy towards America, have everything to hope and nothing to fear from the commerce of that country.

As these reflections were not in my hand writing, or signed or delivered by me, so there was no danger of exposing Congress or myself in this business. Though no great doubt could be entertained from what hand they came, yet they might have been disavowed by me if it should be thought advisable. I pretend not to have suggested any new matter upon the subject, or to have urged the whole that might have been said upon it. Brevity was a thing indispensably necessary. They are perhaps more adapted to the local state of affairs than anything the ministers here may have seen. On the whole, I have no reason to repent of the measure. Although it should not be attended with any immediate good effects, yet I flatter myself it may not be wholly fruitless.

I have prepared a second part, which enforces the first, enters more into political matter, and is chiefly designed as an answer to certain ostensible objections which I understand have been made against her Imperial majesty's forming at present any political connexion with the United States, but have made no use of it yet, because since the delivery of

the first, accounts of the advantages gained by the British fleet over the French in the West Indies, have arrived here, and seem a little to have changed the face of affairs in this quarter; though it seems to me whoever reflects upon that unfortunate action cannot really suppose the relative force of the two nations essentially altered by it. The British, it is true, may have thereby saved the most valuable of their possessions in those parts, for this year at least, the loss of which would have reduced them nearly to despair, and compelled them to solicit a universal peace upon such terms as they know it is to be obtained. In this view it has its serious consequences.

I would very willingly comply with your request, and make my letters more numerous and more minute, but the want of a safe conveyance from hence (having no other than the post, and not having any cipher from your office) obliges me to remain totally silent upon some matters, and to use so much caution in others that I fear none of them will afford you much satisfaction, or can be of any real service. I have not been honored with any letter from you since that of the 22d of October last, the duplicate of which has never come to hand. When you write me, please to send your letters to the care of Mr. Adams. I pray you to acquaint Congress that I shall not fail to exert my small abilities to the utmost, and to improve every favorable opportunity to promote the end of my mission. I should be happy if I could give them any reasonable assurances that my success was at hand.

I am, with much respect and esteem, &c.,

FRANCIS DANA.

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Morris to Washington.\*

OFFICE OF FINANCE, *June 29, 1782.*

DEAR SIR: I have received your favors of the 8th and 16th instants, the former enclosing alterations proposed in the present mode of issues, and the latter a copy of your circular letter to the States, of the 4th of May. I pray you to accept my thanks for these communications. I consent to the alterations mentioned, and shall be very happy that harmony be restored; for I do assure you, that let the cause of disputes be what it may, I am extremely sorry to find that any exist.

I find that you have misunderstood that part of my letter which relates to the complaints of the officers. My design was not to oppose any arrangement which might contribute to their convenience. I only meant to show that their convenience having been consulted in the first instance, the mode had excited uneasiness, and that the endeavor to remove that uneasiness having excited complaint and remonstrance, and direct compliance with the reasoning adopted by them would produce greater hardship than that which was complained of. Hence

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\* 6 Sparks' Dip. Rev. Corr., 495.

follows the inference which was on my mind, that a spirit of accommodation alone could place all parties at their ease, and I supposed that the interest of the contractors on one hand, and the convenience of the army on the other, would produce that accommodating disposition in both. I am happy to find that matters are now in a train towards that desirable end, and much lament that it has not sooner arrived.

I shall close what I have to say on this subject by assuring you most confidentially that I will to the utmost of my power do justice and bring relief to both officers and soldiers, but as these things can only be effected by exact method and economy, so I must pursue that method and economy, as the only means by which the desired end can be obtained.

With respect to the civil list, I shall say but one or two words. I know well the connexion which ties together all the public servants, and I lament every comparison which implies a distinction between them. The civil list consists chiefly of persons whose salaries will not do more than find them food and clothing. Many of them complain that with great parsimony they cannot obtain even those necessaries. The difference, then, between them and the army, supposing the latter to get but four months' pay out of twelve, is that both would be alike subsisted, and the army would have an arrearage of eight months' pay to receive at a future period, but the civil list would have to receive nothing.

I am, my dear sir, &c.,

ROBERT MORRIS.

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Franklin to Livingston. \*

PASSY, *June 29, 1782.*

SIR: In mine of the 25th instant, I omitted mentioning that, at the repeated earnest instances of Mr. Laurens, who had given such expectations to the ministry in England, when his parole or securities were discharged, as that he could not think himself at liberty to act in public affairs till the parole of Lord Cornwallis was absolved by me in exchange, I sent to that general the paper of which the enclosed is a copy; † and I see by the English papers that his lordship, immediately on the receipt of it, appeared at court, and has taken his seat in the house of peers, which he did not before think was warrantable. ‡ My authority for doing this appeared questionable to myself, but Mr. Laurens judged it deducible from that respecting General Burgoyne, and, by his letters

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\* MSS. Dept. of State; 2 Spark's Dip. Rev. Corr., 270, with verbal changes and omissions.

† See Oswald to Franklin, June 5, 1782, *supra*.

‡ As to Cornwallis' explanation of his course in this relation, and on the general question of his exchange, see 1 Ross' Cornwallis, 124.



to me, seemed so unhappy till it was done, that I ventured it, with a clause, however, as you will see, reserving to Congress the approbation or disallowance of it.

The enabling act is now said to be passed, but no copy of it is yet received here, so that, as the bill first printed has suffered alterations in passing through Parliament, and we know not what they are, the treaty with us is not yet commenced. Mr. Grenville expects his courier in a few days, with the answer of his court to a paper given him on the part of this. That answer will probably afford us a clearer understanding of the intentions of the British ministry, which for some weeks past have appeared somewhat equivocal and uncertain. It looks as if, since their late success in the West Indies, they a little repented of the advances they had made in their declarations respecting the acknowledgment of our independence; and we have pretty good information that some of the ministers still flatter the king with the hope of recovering his sovereignty over us on the same terms as are now making with Ireland. However willing we might have been in the commencement of this contest to have accepted such conditions, be assured we can have no safety in them at present. The king hates us most cordially; and his character for falsehood and dissimulation is so thoroughly known that none even of those who call themselves his friends have any dependence on him. If he is once admitted to any degree of power and government among us, however limited, it will soon be extended by corruption, artifice, and force, till we are reduced to absolute subjection, and that the more easily, as, by receiving him again for our king, we shall draw upon ourselves the contempt of all Europe, who now admire and respect us, and shall never again find a friend to assist us. There are, it is said, great divisions in the ministry on other points as well as this, and those who aim at engrossing the power, flatter the king with this project of reunion, and, it is said, have much reliance on the operations of private agents sent into America to dispose minds there in favor of it, and to bring about a separate treaty there with General Carleton. I have not the least apprehension that Congress will give in to this scheme, it being inconsistent with our treaties as well as with our interest; but I think it will be well to watch these emissaries, and secure, or banish immediately, such as shall be found tampering and stirring up the people to call for it.

The firm united resolution of France, Spain, and Holland, joined with ours, not to treat of a particular, but a general peace, notwithstanding the separate tempting offers to each, will, in the end, give us the command of that peace. Every one of the other powers see clearly its interest in this, and persists in that resolution. The Congress, I am persuaded, are as clear-sighted as any of them, and will not depart from the system which has been attended with so much success, and promises to make America soon both great and happy.

I have just received a letter from Mr. Laurens, dated at Lyons, on his



journey into the south of France for his health. Mr. Jay will write also by this opportunity.

With great esteem, I have the honor to be, &c.,

B. FRANKLIN.

Franklin's Journal—(July 1, 1782. From March 21 to July 1, 1782.)\*

PASSY, *May 9, 1782.*

As since the change of the ministry in England, some serious professions have been made of their disposition to peace, and of their readiness to enter into a general treaty for that purpose; and as the concerns and claims of five nations are to be discussed in that treaty, which must therefore be interesting to the present age and to posterity, I am inclined to keep a journal of the proceedings as far as they come to my knowledge; and to make it more complete, I will first endeavor to recollect what has already passed. Great affairs sometimes take their rise from small circumstances. My good friend and neighbor, Madame Brillon, being at Nice all last winter for her health, with her very amiable family, wrote to me that she had met with some English gentry there, whose acquaintance proved agreeable; among them she named Lord Cholmondely, who she said, had promised to call on his return to England and drink tea with us at Passy. He left Nice sooner than she supposed and came to Paris long before her. On the 21st of March I received the following note:

Lord Cholmondely's compliments to Dr. Franklin; he sets out for London to-morrow evening, and should be glad to see him for five minutes before he went. Lord Cholmondely will call upon him at any time in the morning he shall please to appoint.

THURSDAY EVENING. HOTEL DE CHARTRES.

I wrote for answer that I should be at home all the next morning, and glad to see his lordship, if he did me the honor of calling on me. He came accordingly. I had before no personal knowledge of this nobleman. We talked of our friends whom we left at Nice, then of affairs in England, and the late resolutions of the Commons on Mr. Conway's motion. He told me that he knew Lord Shelburne had a great regard for me, that he was sure his lordship would be pleased to hear from me, and that if I would write a line, he should have a pleasure in carrying it. On which I wrote the following:

TO LORD SHELBURNE.

PASSY, *March 22, 1782.*

MY LORD: Lord Cholmondely having kindly offered to take a letter from me to your lordship, I embrace the opportunity of assuring the continuance of my ancient respect for your talents and virtues, and of congratulating you on the returning good

\*2 Sparks' Dip. Rev. Corr., 273; 8 Bigelow's Franklin, 1. This journal, for purposes of convenience, is entered under date of July 1, 1782.

disposition of your country in favor of America, which appears in the late resolutions of the Commons. I am persuaded it will have good effects. I hope it will tend to produce a *general peace*, which I am sure your lordship, with all good men, desires, which I wish to see before I die, and to which I shall, with infinite pleasure, contribute everything in my power.

Your friends, the Abbé Morellet and Madame Helvetius, are well. You have made the latter very happy by your present of gooseberry bushes, which arrived in five days, and in excellent order.

With great and sincere esteem, I have the honor to be, &c.,

B. FRANKLIN.

Soon after this we heard from England that a total change had taken place in the ministry, and that Lord Shelburne had come in as Secretary of State. But I thought no more of my letter, till an old friend and near neighbor of mine many years in London appeared at Passy, and introduced a Mr. Oswald, whom he said had a great desire to see me, and Mr. Oswald, after some little conversation, gave me the following letters from Lord Shelburne and Mr. Laurens:

LORD SHELburne TO B. FRANKLIN.

LONDON, *April 6, 1782.*

DEAR SIR: I have been favored with your letter, and am much obliged by your remembrance. I find myself returned nearly to the same situation, which you remember me to have occupied nineteen years ago, and I should be very glad to talk to you as I did then, and afterwards in 1767, upon the means of promoting the happiness of mankind, a subject much more agreeable to my nature than the best concerted plans for spreading misery and devastation. I have had a high opinion of the compass of your mind and of your foresight. I have often been beholden to both, and shall be glad to be so again, as far as is compatible with your situation. Your letter discovering the same disposition, has made me send to you Mr. Oswald. I have had a longer acquaintance with him than even I have had the pleasure to have with you. I believe him an honest man, and, after consulting some of our common friends, I have thought him the fittest for the purpose. He is a pacifical man, and conversant in those negotiations which are most interesting to mankind. This has made me prefer him to any of our speculative friends, or to any person of higher rank. He is fully apprized of my mind, and you may give full credit to everything he assures you of. At the same time, if any other channel occurs to you, I am ready to embrace it. I wish to retain the same simplicity and good faith which subsisted between us in transactions of less importance.

I have the honor to be, &c.,

SHELburne.

HENRY LAURENS TO B. FRANKLIN.

LONDON, *April 7, 1782.*

DEAR SIR: Richard Oswald, esquire, who will do me the honor of delivering this, is a gentleman of the strictest candor and integrity. I dare give such assurances from an experience little short of thirty years, and to add, you will be perfectly safe in conversing freely with him on the business he will introduce, a business which Mr. Oswald has disinterestedly engaged in, from motives of benevolence, and from the choice of the man a persuasion follows that the electors mean to be in earnest.

Some people in this country, who have too long indulged themselves in abusing everything American, have been pleased to circulate an opinion that Dr. Franklin is a very cunning man; in answer to which, I have remarked to Mr. Oswald, "Dr

Franklin knows very well how to manage a cunning man, but when the doctor converses, or treats with a man of candor, there is no man more candid than himself." I do not know whether you will ultimately agree on political sketches, but I am sure, as gentlemen, you will part very well pleased with each other. Should you, sir, think proper to communicate to me your sentiments and advice on our affairs, the more amply the more acceptable, and probably the more serviceable. Mr. Oswald will take charge of your despatches, and afford a secure means of conveyance.

To this gentleman I refer you for general information of a journey, which I am immediately to make, partly in his company, at Ostend, to file off for The Hague. I feel a willingness, infirm as I am, to attempt doing as much good as can be expected from such a prisoner upon parole. As General Burgoyne is certainly exchanged (a circumstance, by the by, which possibly might have embarrassed us, had your late propositions been accepted), may I presume at my return to offer another lieutenant, general, now in England, a prisoner upon parole, in exchange? or what shall I offer in exchange for myself, a thing in my own estimation of no great value?

I have the honor to be, with great respect, and, permit me to add, great reverence, sir, &c.,

HENRY LAURENS.

I entered into conversation with Mr. Oswald. He was represented in the letter as fully apprized of Lord Shelburne's mind, and I was desirous of knowing it. All I could learn was, that the new ministry sincerely wished for a peace, that they considered the object of the war, to France and America, as obtained. That if the independence of the United States was agreed to, there was no other point in dispute, and therefore nothing to hinder a pacification. That they were ready to treat of *peace*, but he intimated that if France should insist upon terms too humiliating to England, they could still continue the war, having yet great strength, and many resources left. I let him know that America would not treat but in concert with France, and that my colleagues not being here I could do nothing of importance in the affair; but that, if he pleased, I would present him to M. de Vergennes, Secretary of State for Foreign Affairs. He consenting, I wrote and sent the following letter:

TO COUNT DE VERGENNES.

PASSY, April 15, 1782.

SIR: An English nobleman, Lord Cholmondely, lately returning from Italy, called upon me here at the time when we received the news of the first resolution of the House of Commons relating to America. In conversation he said that he knew his friend Lord Shelburne had a great regard for me, that it would be pleasing to him to hear of my welfare and receive a line from me, of which he, Lord Cholmondely, should like to be the bearer, adding, if there should be a change of ministry he believed Lord Shelburne would be employed. I thereupon wrote a few lines, of which I enclose a copy. This day I received an answer, which I also enclose, together with another letter from Mr. Laurens. They both, as your excellency will see, recommend the bearer, Mr. Oswald, as a very honest, sensible man. I have had a little conversation with him. He tells me that there has been a desire of making a separate peace with America, and continuing the war with France and Spain, but that now all wise people give up that idea as impracticable; and it is his private opinion that the ministry do sincerely desire a *general peace*, and that they will readily come into it, provided France does not insist upon conditions too humiliating for England, in

which case she will make great and violent efforts rather than submit to them, and that much is still in her power, &c.

I told the gentleman that I could not enter into particulars with him, but in concert with the ministers of this court. And I proposed introducing him to your excellency, after communicating to you the letters he had brought me, in case you should think fit to see him, with which he appeared to be pleased. I intend waiting on you to-morrow, when you will please to favor me with your intentions, and favor me with your counsels. He had heard nothing of Forth's mission, and the old ministry had not acquainted the new with that transaction. Mr. Laurens came over with him in the same vessel, and went from Ostend to Holland.

With great respect, I am, &c.,

B. FRANKLIN.

The next day, being at court with the foreign ministers, as usual on Tuesdays, I saw M. de Vergennes, who acquainted me that he had caused the letters to be translated, had considered the contents, and should like to see Mr. Oswald. We agreed that the interview should be on Wednesday, at 10 o'clock. Immediately on my return home, I wrote to Mr. Oswald, acquainting him with what had passed at Versailles, and proposing that he should be with me at half-past eight the next morning in order to proceed thither. I received from him the following answer:

PARIS, *April 16.*

SIR: I have the honor of yours by the bearer, and shall be sure to wait on you to-morrow at half-past eight, and am with much respect, &c.,

RICHARD OSWALD.

He came accordingly, and we arrived at Versailles punctually. M. de Vergennes received him much civility. Mr. Oswald not being ready in speaking French, M. de Rayneval interpreted. Mr. Oswald at first thought of sending an express, with the account of the conversation, which continued near an hour, and was offered a passport, but finally concluded to go himself; and I wrote the next day the letter following:

TO LORD SHELBURNE.

PASSY, *April 18, 1782.*

MY LORD: I have received the letter your lordship did me the honor of writing to me on the 6th instant. I congratulate you on your new appointment to the honorable and important office you formerly filled so worthily, which must be so far pleasing to you, as it affords you more opportunities of doing good and of serving your country essentially in its great concerns.

I have conversed a good deal with Mr. Oswald and am much pleased with him. He appears to me a wise and honest man. I acquainted him that I was commissioned with others to treat of and conclude a peace. That full powers were given us for that purpose, and that the Congress promised, in good faith, to ratify, confirm, and cause to be faithfully observed, the treaty we should make; but that we would not treat separately from France, and I proposed introducing him to the Count de Vergennes, to whom I communicated your lordship's letter containing Mr. Oswald's character as a foundation for the interviews. He will acquaint you that the assurance he gave of his Britannic majesty's good dispositions towards peace was well received, and assurances returned of the same good dispositions in his most Christian majesty.

With regard to circumstances relative to a treaty, M. de Vergennes observed that

the king's engagements were such that he could not treat without the concurrence of his allies; that the treaty should, therefore, be for a general not a partial peace; that if the parties were disposed to finish the war speedily by themselves it would perhaps be best to treat at Paris, as an ambassador from Spain was already there and the commissioners from America might easily and soon be assembled there. Or, if they chose to make use of the proposed mediation, they might treat at Vienna; but that the king was so truly willing to put a speedy end to the war that he would agree to any place the King of England should think proper.

I leave the rest of the conversation to be related to your lordship by Mr. Oswald; and that he might do it more easily and fully than he could by letter, I was of opinion with him, that it would be best he should return immediately and do it *viva voce*. Being myself but one of the four persons now in Europe commissioned by the Congress to treat of peace, I can make no propositions of much importance without them. I can only express my wish that if Mr. Oswald returns hither he may bring with him the agreement of your court to treat for a general peace, and the proposal of place and time, that I may immediately write to Messrs. Adams, Laurens, and Jay. I suppose that, in this case, your lordship will think it proper to have Mr. Laurens discharged from the engagements he entered into when he was admitted to bail. I desire no other channel of communication between us than that of Mr. Oswald, which I think your lordship has chosen with much judgment. He will be witness of my acting with all the simplicity and good faith which you do me the honor to expect from me, and if he is enabled, when he returns hither, to communicate more fully your lordship's mind on the principal points to be settled I think it may contribute much to the blessed work our hearts are engaged in.

By the act of parliament relative to the American prisoners, I see the king is empowered to exchange them. I hope those you have in England and Ireland may be sent home soon to their country, in flags of truce, and exchanged for an equal number of your people. Permit me to add that I think it would be well if some kindness were mixed in the transaction with regard to their comfortable accommodation on shipboard, as these poor unfortunate people have been long absent from their families and friends, and rather hardly treated.

With great and sincere respect, I have the honor to be, my lord, &c.,

B. FRANKLIN.

To the account contained in this letter of what passed in the conversation with the minister I should add his frank declaration that, as the foundation of a good and durable peace should be laid in justice, whenever a treaty was entered upon, he had several demands of justice to make from England. Of this, says he, I give you previous notice. What these demands were he did not particularly say. One occurred to me, viz, reparation for the injury done in taking a number of French ships by surprise, before the declaration of the preceding war, contrary to the law of nations. Mr. Oswald seemed to wish to obtain some propositions to carry back with him, but M. de Vergennes said to him very properly, "There are four nations engaged in the war against you, who can not, till they have consulted and know each other's minds, be ready to make propositions. Your court being without allies and alone, knowing its own mind, can express it immediately. It is, therefore, more natural to expect the first proposition from you."

On our return from Versailles Mr. Oswald took occasion to impress me with ideas that the present weakness of the Government of England, with regard to continuing the war, was owing chiefly to the division of



sentiments about it. That in case France should make demands too humiliating for England to submit to the spirit of the nation would be roused, unanimity would prevail, and resources would not be wanting. He said there was no want of money in the nation; that the chief difficulty lay in the finding out new taxes to raise it; and, perhaps, that difficulty might be avoided by shutting up the exchequer, stopping the payment of the interests of the public funds, and applying that money to the support of the war. I made no reply to this; for I did not desire to discourage their stopping payment, which I considered as cutting the throat of the public credit and a means of adding fresh exasperation against them with the neighboring nations. Such menaces were, besides, an encouragement with me, remembering the adage that *they who threaten are afraid*.

The next morning, when I had written the above letter to Lord Shelburne I went with it to Mr. Oswald's lodgings and gave it to him to read, before I sealed it, that in case anything might be in it with which he was not satisfied it might be corrected; but he expressed himself much pleased.

In going to him I had also in view the entering into a conversation which might draw out something of the mind of his court on the subject of Canada and Nova Scotia. I had thrown some loose thoughts on paper, which I intended to serve as memorandums for my discourse, but without a fixed intention of showing them to him. On his saying that he was obliged to me for the good opinion I had expressed of him to Lord Shelburne in my letter, and assuring me that he had entertained the same of me, I observed that I perceived Lord S. had placed great confidence in him, and as we had happily the same in each other we might possibly, by a free communication of sentiments and a previous settling of our own minds on some of the important points, be the means of great good by impressing our sentiments on the minds of those with whom they might have influence and where their being received might be of importance. I then remarked that his nation seemed to desire a reconciliation; that to obtain this the party which had been the aggressor and had cruelly treated the other should show some marks of concern for what was past and some disposition to make reparation; that perhaps there were things, which America might demand by way of reparation and which England might yield, and that the effect would be vastly greater if they appeared to be voluntary and to spring from returning good will; that I, therefore, wished England would think of offering something to relieve those who had suffered by its scalping and burning parties. Lives, indeed, could not be restored nor compensated, but the villages and houses wantonly destroyed might be rebuilt, &c. I then touched upon the affair of Canada, and as, in a former conversation, he had mentioned his opinion that the giving up of that country to the English, at the last peace, had been a politic act in France, for that it had weakened the ties between England



and her colonies, and that he himself had predicted from it the late revolution, I spoke of the occasions of future quarrel that might be produced by her continuing to hold it, hinting, at the same time, but not expressing too plainly, that such a situation, to us so dangerous, would necessarily oblige us to cultivate and strengthen our union with France. He appeared much struck with my discourse, and, as I frequently looked at my paper, he desired to see it. After some little delay I allowed him to read it. The following is an exact copy:

NOTES FOR CONVERSATION.

To make a peace durable, what may give occasion for future wars should, if practicable, be removed.

The territory of the United States and that of Canada, by long extended frontiers, touch each other.

The settlers on the frontiers of the American provinces are generally the most disorderly of the people, who, being far removed from the eye and control of their respective governments, are more bold in committing offences against neighbors, and are forever occasioning complaints and furnishing matter for fresh differences between their States.

By the late debates in Parliament and public writings it appears that Britain desires a *reconciliation* with the Americans. It is a sweet word. It means much more than a mere peace and what is heartily to be wished for. Nations make a peace whenever they are both weary of making war. But if one of them has made war upon the other unjustly, and has wantonly and unnecessarily done it great injuries and refuses reparation, there may, for the present, be peace; the resentment of those injuries will remain, and will break out again in vengeance when occasions offer. These occasions will be watched for by one side, feared by the other, and peace will never be secure; nor can any cordiality subsist between them.

Many houses and villages have been burnt in America by the English and their allies, the Indians. I do not know that the Americans will insist on reparation; perhaps they may. But would it not be better for England to offer it? Nothing would have a greater tendency to conciliate, and much of the future commerce and returning intercourse between the two countries may depend on the reconciliation. Would not the advantage of reconciliation by such means be greater than the expense?

If, then, a way can be proposed which may tend to efface the memory of injuries, at the same time that it takes away the occasions of fresh quarrels and mischief, will it not be worth considering, especially if it can be done, not only without expense, but be a means of saving?

Britain possesses Canada. Her chief advantage from that possession consists in the trade for peltry. Her expenses in governing and defending that settlement must be considerable. It might be humiliating to her to give it up on the demand of America. Perhaps America will not demand it; some of her political rulers may consider the fear of such a neighbor as the means of keeping the thirteen States more united among themselves, and more attentive to military discipline. But on the mind of the people in general, would it not have an excellent effect if Britain should voluntarily offer to give up this province; though on these conditions that she shall, in all times coming, have and enjoy the right of free trade thither, unincumbered with any duties whatsoever; that so much of the vacant lands there shall be sold as will raise a sum sufficient to pay for the houses burnt by the British troops and their Indians; and also to indemnify the royalists for the confiscation of their estates?

This is mere conversation matter between Mr. Oswald and Mr. Franklin, as the former is not empowered to make propositions, and the latter can not make any without the concurrence of his colleagues.

He then told me, that nothing in his judgment could be clearer, more satisfactory and convincing, than the reasonings in that paper; that he would do his utmost to impress Lord Shelburne with them; that, as his memory might not do them justice, and it would be impossible for him to express them so well, or state them so clearly as I had written them, he begged I would let him take the paper with him, assuring me that he would return it safely into my hands. I at length complied with this request also. We parted exceedingly good friends, and he set out for London.

By the first opportunity after his departure I wrote the following letter to Mr. Adams, and sent the papers therein mentioned, that he might fully be apprised of the proceedings. I omitted only the paper of *Notes for Conversation* with Mr. Oswald, but gave the substance as appears in the letter. The reason of my omitting it was that, on reflection, I was not pleased with my having hinted a reparation to Tories for their forfeited estates, and I was a little ashamed of my weakness in permitting the paper to go out of my hands.

TO JOHN ADAMS.

PASSY, April 20, 1782.

SIR: I hope your excellency received the copy of our instructions which I sent by the courier from Versailles, some weeks since. I wrote to you on the 13th, to go by Captain Smedley and sent a packet of correspondence with Mr. Hartley. Smedley did not leave Paris so soon as I expected, but you should have it by this time.

With this I send a fresh correspondence, which I have been drawn into, viz: 1st, a letter I sent to Lord Shelburne before he was a minister. 2dly, his answer since he was a minister, by Mr. Oswald. 3dly, a letter from Mr. Laurens. 4thly, my letter to M. de Vergennes. 5thly, my answer to Lord Shelburne. 6thly, my answer to Mr. Laurens. 7thly, copy of Digges's report. These papers will inform you pretty well of what passed between me and Mr. Oswald, except that in a conversation at parting I mentioned to him that I observed they spoke much in England of obtaining a *reconciliation* with the colonies; that this was more than a peace; that the latter might possibly be obtained without the former; that the cruel injuries constantly done us by burning our towns, &c., had made deep impressions of resentment that would long remain; that much of the advantage to the commerce of England from a peace would depend on a *reconciliation*; that the peace without reconciliation would probably not be durable; that after a quarrel between friends nothing tended so much to *conciliate* as offers made by the aggressor of reparation for injuries done by him in his passion. And I hinted that if England should make us a voluntary offer of Canada expressly for that purpose, it might have a good effect.

Mr. Oswald liked much the idea, and said they were too much straitened for money to make us pecuniary reparation, but he should endeavor to persuade their doing it this way. He is furnished with a passport to go and return by Calais, and I expect him back in ten or twelve days. I wish you and Mr. Laurens could be here when he arrives, for I shall much want your advice, and can not act without your concurrence. If the present crisis of your affairs prevents your coming, I hope, at least, Mr. Laurens will be here, and we must communicate with you by express, for your letters to me by post are generally opened. I shall write by the next post requesting Mr. Jay to be here also as soon as possible.

I received your letter advising of your draft on me for a quarter's salary, which will be duly honored.

With great esteem, I have the honor to be, &c.,

B. FRANKLIN

Supposing Mr. Laurens to be in Hollond with Mr. Adams, I, at the same time, wrote to him the following letter :

TO HENRY LAURENS.

PASSY, *April 20, 1782.*

SIR: I received, by Mr. Oswald, the letter you did me the honor of writing to me on the 7th instant. He brought me also a letter from Lord Shelburne, which gave him the same good character that you do, adding, he is fully apprized of my mind, and you may give full credit to everything he assures you of. Mr. Oswald, however, could give me no other particulars of his lordship's mind but that he was sincerely disposed to peace. As the message seemed, therefore, rather intended to procure or receive propositions than to make any, I told Mr. Oswald that I could make none but in concurrence with my colleagues in the commission ; and that if we were together, we should not treat but in conjunction with France ; and I proposed introducing him to M. de Vergennes, which he accepted.

He made to that minister the same declaration of the disposition of England to peace, who replied, that France had assuredly the same good disposition ; that a treaty might be immediately begun, but it must be for a *general*, not a *particular* peace ; that as to the place, he thought Paris might be the most convenient, as Spain had here already an ambassador, and the American commissioners could easily be assembled here—this upon a supposition of the parties treating directly with each other, without the intervention of mediators ; but if the mediation was to be used, it might be at Vienna. The king, his master, however, was so truly disposed to peace, that he would agree to any place that the king of England should choose ; and would, at the treaty, give proof of the confidence that might be placed in any engagements he should then enter into by the fidelity and exactitude with which he should observe those he already had with his present allies.

Mr. Oswald is returned with these general answers by the way of Calais, and expects to be here again in a few days. I wish it might be convenient for you and Mr. Adams to be here at the same time ; but if the present critical situation of affairs there makes his being in Holland necessary just now, I hope you may nevertheless, be here, bringing with you his opinion and advice. I have proposed to Lord Shelburne to discharge you from the obligations you entered into at the time of your enlargement, that you may act more freely in the treaty he desires.

I had done myself the honor of writing to you a few days before the arrival of Mr. Oswald. My letter went to Mr. Young, your secretary, and enclosed a copy of your commission with an offer of money, if you had occasion for any. Hoping that you will not return to England before you have been at Paris, I forbear enlarging on the state of our affairs here and in Spain. M. de Vergennes told me he should be very glad to see you here. I found Mr. Oswald to answer perfectly the character you gave me of him, and was much pleased with him.

I have the honor to be, &c.,

B. FRANKLIN.

Just after I had despatched these letters, I received the following from Mr. Adams :

JOHN ADAMS TO B. FRANKLIN.\*

AMSTERDAM, *April 16, 1782.*

SIR: Yesterday noon, Mr. William Vaughan, of London, came to my house with Mr. Laurens, the son of the president, and brought me a line from the latter, and told me the president was at Haerlem, and desired to see me. I went to Haerlem, and found my old friend at the Golden Lion. He told me he was come partly for his health and the pleasure of seeing me ; and partly to converse with me, and see if he

\* See also 9 Sparks' ; Franklin, 256 ; 7 John Adams' works, 569.

had, at present, just ideas and views of things—at least to see if we agreed in sentiment, having been desired by several of the new ministry to do so. I asked him if he was at liberty? He said no, that he was still under parole, but at liberty to say what he pleased to me. I told him that I could not communicate to him, being a prisoner, even his own instructions, nor enter into any consultation with him as one of our colleagues in the commission for peace; that all I should say to him would be as one private citizen conversing with another; but that, upon all such occasions, I should reserve a right to communicate whatever should pass to our colleagues and allies.

He said that Lord Shelburne, and others of the new ministers, were anxious to know whether there was any authority to treat of a separate peace, and whether there could be an accommodation upon any terms short of independence; that he had ever answered them that nothing short of an express or tacit acknowledgement of our independence, in his opinion, would ever be accepted, and that no treaty ever would, or could be, made separate from France. He asked me if his answers had been right? I told him that I was fully of that opinion. He said that the new ministers had received Digges's report, but his character was such that they did not choose to depend upon it; that a person by the name of Oswald, I think, set off for Paris to see you, about the same time he came away to see me.

I desired him, between him and me, to consider, without saying anything of it to the ministry, whether we could ever have a real peace, with Canada or Nova Scotia in the hands of the English? And whether we ought not to insist, at least, upon a stipulation, that they should keep no standing army, or regular troops, nor erect any fortifications upon the frontiers of either? That, at present, I saw no motive that we had to be anxious for a peace, and if the nation was not ripe for it upon proper terms, we might wait patiently till they should be so.

I found the old gentleman perfectly sound in his system of politics. He has a very poor opinion both of the integrity and abilities of the new ministry, as well as the old. He thinks they know not what they are about; that they are spoiled by the same insincerity, duplicity, falsehood, and corruption, with the former. Lord Shelburne still flatters the king with ideas of conciliation and a separate peace, &c., yet the nation, and the best men in it, are for universal peace and an express acknowledgment of American independence, and many of the best are for giving up Canada and Nova Scotia. His design seemed to be solely to know how far Digges's report was true. After an hour or two of conversation I returned to Amsterdam, and left him to return to London.

These are all but artifices to raise the stocks, and if you think of any method to put a stop to them, I will cheerfully concur with you. They now know sufficiently that our commission is to treat of a general peace, and with persons vested with equal powers; and if you agree to it, I will, never to see another messenger that is not a plenipotentiary.

It is expected that the seventh province, Guelderland, will this day acknowledge American independence. I think we are in such a situation now that we ought not, upon any consideration, to think of a truce, or anything short of an express acknowledgment of the sovereignty of the United States. I should be glad, however, to know your sentiments upon this point.

I have the honor to be, &c.,

JOHN ADAMS.

To the above I immediately wrote the following answer:

TO JOHN ADAMS.

PASSY, April 21, 1782.

SIR: I have just received the honor of yours, dated the 16th instant, acquainting me with the interview between your excellency and Mr. Laurens. I am glad to learn that his political sentiments coincide with ours, and that there is a disposition in England to give us up Canada and Nova Scotia.

I like your idea of seeing no more messengers that are not plenipotentiaries; but I can not refuse seeing again Mr. Oswald, as the minister here considered the letter to me from Lord Shelburne as a kind of authentication given that messenger, and expects his return with some explicit propositions. I shall keep you advised of whatever passes.

The late act of Parliament, for exchanging American prisoners *as prisoners of war*, according to the law of nations, *anything in their commitments notwithstanding*, seems to me a renunciation of their pretensions to try our people as subjects guilty of high treason, and to be a kind of tacit acknowledgment of our independency. Having taken this step, it will be less difficult for them to acknowledge it expressly. They are now preparing transports to send the prisoners home. I yesterday sent the passports desired of me.

Sir George Grand shows me a letter from Mr. Fizeaux, in which he says, that if advantage is taken of the present enthusiasm in favor of America a loan might be obtained in Holland of five or six millions of florins for America and if their house is empowered to open it he has no doubt of success; but that no time is to be lost. I earnestly recommend this matter to you as extremely necessary to the operations of our financier, Mr. Morris, who, not knowing that the greatest part of the last five millions had been consumed by purchase of goods, &c., in Europe, writes me advice of large drafts that he shall be obliged to make upon me this summer.

This court has granted us six millions of livres for the current year; but it will fall vastly short of our occasions, there being large orders to fulfill, and near two millions and a half to pay M. Beaumarchais, besides the interest, bills, &c. The house of Fizeaux and Grand is now appointed banker for France by a special commission from the king, and will on that, as well as other accounts be, in my opinion, the fittest for this operation. Your excellency being on the spot can better judge of the terms, &c., and manage with that house the whole business, in which I should be glad to have no other concern than that of receiving assistance from it when pressed by the dreaded drafts.

With great respect, I am, sir, &c.,

B. FRANKLIN.

In reply to this Mr. Adams wrote to me as follows:

JOHN ADAMS TO B. FRANKLIN.

AMSTERDAM, May 2, 1782.

SIR: I am honored with your favor of the 20th of April, and Mr. Laurens's son proposes to carry the letter to his father forthwith. The instructions by the courier from Versailles came safe, as all other despatches by that channel no doubt will do. The correspondence with Mr. Hartley I received by Captain Smedley, and will take the first good opportunity by a private hand to return it, as well as that with the Earl of Shelburne.

Mr. Laurens and Mr. Jay will, I hope, be able to meet at Paris; but when it will be in my power to go I know not. Your present negotiation about peace falls in very well to aid a proposition which I am instructed to make, as soon as the court of Versailles shall judge proper, of a triple or quadruple alliance. This matter—the treaty of commerce—which is now under deliberation, and the loan, will render it improper for me to quit this station, unless in case of necessity. If there is a real disposition to permit Canada to accede to the American association, I should think there would be no great difficulty in adjusting all things between England and America, provided our allies are contented, too. In a former letter I hinted that I thought an express acknowledgment of our independence might now be insisted on, but I did not mean that we should insist upon such an article in the treaty. If they make a treaty of peace with the United States of America, this is acknowledgment enough for me.

The affair of a loan gives me much anxiety and fatigue. It is true I may open a



loan for five millions; but I confess I have no hopes of obtaining so much; the money is not to be had. Cash is not infinite in this country. Their profits by trade have been ruined for two or three years; and there are loans open for France, Spain, England, Russia, Sweden, Denmark, and several other powers, as well as their own national, provincial, and collegiate loans. The undertakers are already loaded with burdens greater than they can bear, and all the brokers in the republic are so engaged that there is scarcely a ducat to be lent but what is promised.

This is the true cause why we should not succeed, yet they will seek an hundred other pretences. It is considered such an honor, and such an introduction to American trade, to be the house, that the eagerness to obtain the title of American banker is prodigious. Various houses have pretensions, which they set up very high; and let me choose which I will, I am sure of a cry and a clamor. I have taken some measures to endeavor to calm the heat, and give a general satisfaction, but have, as yet, small hopes of success. I would strike with any house that would insure the money; but none will undertake it now it is offered, although several were very ready to affirm that they could when it began to be talked of. Upon inquiry they do not find the money easy to obtain, which I could have told them before. It is to me, personally, perfectly indifferent which is the house; and the only question is, which will be able to do best for the interest of the United States. This question, however simple, is not easy to answer; but I think it clear, after very painful and laborious inquiry for a year and a half, that no house whatever will be able to do much. Enthusiasm at some times, and in some countries, may do a great deal; but there has, as yet, been no enthusiasm in this country for America strong enough to untie many purses. Another year, if the war continues, perhaps we may do better.

I have the honor to be, &c.,

JOHN ADAMS.

During Mr. Oswald's absence I received the following from Mr. Laurens:

HENRY LAURENS TO B. FRANKLIN.

LONDON, *April 20, 1782.*

SIR: I wrote to you on the 7th instant, by Mr. Oswald, since which, that is to say, on the 28th, I was honored by the receipt of your letter of the 12th, enclosing a copy of the commission for treating for peace, by the hands of Mr. Young. The recognizance exacted from me by the late ministry has been vacated and done away by the present; these have been pleased to enlarge me without formal conditions; but, as I would not consent that the United States of America should be outdone in generosity, however late the marks appeared on this side, I took upon me to assure Lord Shelburne, in a letter of acknowledgment for the part which his lordship had taken for obtaining my release, that Congress would not fail to make a just and adequate return. The only return in my view is Lieutenant-General Lord Cornwallis. Congress were pleased some time ago to offer a British lieutenant-general for my ransom; and, as I am informed a special exchange of Lord Cornwallis for the same subject was lately in contemplation, it would afford me very great satisfaction to know that you will join me in cancelling the debt of honor which we have impliedly incurred, by discharging his lordship from the obligations of his parole.

For my own part, though not a bold adventurer, I think I shall not commit myself to the risk of censure by acting conjunctly with you in such a bargain. I entreat you, sir, at least to reflect on this matter. I shall take the liberty of requesting your determination when I reach the continent, which will probably happen in a few days.

Lord Cornwallis, in a late conversation with me, put the following case: "Suppose," said his lordship, "it shall have been agreed, in America, that Lord Cornwallis should be offered in exchange for Mr. Laurens, don't you think, although you are now discharged, I ought to reap the intended benefit?" A reply from the feelings of the



heart, as I love fair play, was prompt: "Undoubtedly, my lord, you ought to be, and shall be, in such case, discharged, and I will venture to take the burthen upon myself." Certain legal forms, I apprehend, rendered the discharge of me, without condition, unavoidable; but I had previously refused to accept of myself for nothing, and what I now aim at was understood as an adequate return; it is not to be doubted his lordship's question was built on this ground.

I had uniformly and explicitly declared to the people here, people in the first rank of importance, that nothing short of independence in terms of our treaty of alliance would induce America to treat for truce or peace, and that no treaty could be had without the consent of our ally first obtained; in a word, if you mean to have peace, you must seek for a general peace. The doctrine was ill relished, especially by those whose power only could set the machine in motion; but having, since my return from Haerlem, asserted in very positive terms that I was confirmed in my former opinions, the late obduracy has been more than a little softened, as you will soon learn from the worthy friend by whom I addressed you on the 7th, who two days ago set out on his return to Passy and Versailles, with, I believe, a more permanent commission than the former.

Accept my thanks, sir, for the kind offer of a supply of money. I know too well how much you have been harassed for that article and too well how low our American finances in Europe are; therefore, if I can possibly avoid it, I will not further trouble you, nor impoverish them, or not till the last extremity. Hitherto I have supported myself without borrowing from anybody, and I am determined to continue living upon my own stock while it lasts; the stock is indeed small; my expenses have been and shall be in a suitable, modest style. I pray God to bless you.

I have the honor to be, &c.,

HENRY LAURENS.

P. S.—I judged it proper not only to show the peace commission to Lord Shelburne, but to give his lordship a copy of it, from an opinion that it would work no evil, being shown elsewhere.

On the 4th of May Mr. Oswald returned and brought me the following letter from Lord Shelburne:

LORD SHELburne TO B. FRANKLIN.

SHELburne HOUSE, *April 20, 1782.*

DEAR SIR: I have received much satisfaction in being assured by you that the qualifications of wisdom and integrity which induced me to make choice of Mr. Oswald as the fittest instrument for the renewal of our friendly intercourse have also recommended him so effectually to your approbation and esteem. I most heartily wish the influence of this first communication of our mutual sentiments may be extended to a happy conclusion of all our public differences.

The candor with which the Count de Vergennes expresses his most Christian majesty's sentiments and wishes on the subject of a speedy pacification is a pleasing omen of its accomplishment. His majesty is not less decided in the same sentiments and wishes, and it confirms his majesty's ministers in their intention to act in like manner as most consonant to the true dignity of a great nation. In consequence of these reciprocal advances, Mr. Oswald is sent back to Paris for the purpose of arranging and settling with you the preliminaries of time and place. And I have the pleasure to tell you that Mr. Laurens is already discharged from those engagements which he entered into when he was admitted to bail.

It is also determined that Mr. Fox, for whose department that communication is necessarily to proceed, shall send a proper person, who may confer and settle immediately with the Count de Vergennes the further measures and proceedings which may be judged proper to adopt toward advancing the prosecution of this important business.

In the mean time Mr. Oswald is instructed to communicate to you my thoughts upon the principal objects to be settled. Transports are actually preparing for the purpose of conveying your prisoners to America, to be there exchanged, and we trust that you will learn that due attention has not been wanting to their accommodation and good treatment.

I have the honor to be, with very sincere respect, dear sir, your very faithful and obedient humble servant,

SHELBURNE.

Having read the letter I mentioned to Mr. Oswald the part which refers me to him for his lordship's sentiments. He acquainted me that they were very sincerely disposed to peace; that the whole ministry concurred in the same disposition; that a good deal of confidence was placed in my character for open, honest dealing; that it was also generally believed I had still remaining some part of my ancient affection and regard for old England, and it was hoped it might appear on this occasion. He then showed me an extract from the ministers of council, but did not leave the paper with me. As well as I can remember, it was to this purpose:

At a cabinet council held April 27th, 1782, present Lord Rockingham, Lord Chancellor, Lord President, Lord Camden, &c., to the number of fifteen or twenty, being all ministers and great officers of state, it was proposed to represent to his majesty that it would be well for Mr. Oswald to return to Doctor Franklin and acquaint him that it is agreed to treat for a general peace, and at Paris; and that the principal points in contemplation are the allowing of American independence on condition that England be put into the same situation that she was left in by the peace of 1763.

Mr. Oswald also informed me that he had conversed with Lord Shelburne on the subject of my paper of *Notes* relating to reconciliation; that he had shown him the paper and had been prevailed on to leave it with him a night, but it was on his lordship's solemn promise of returning it, which had been complied with, and he now returned it to me; that it seemed to have made an impression and he had reason to believe that matter might be settled to our satisfaction toward the end of the treaty, but in his own mind he wished it might not be mentioned at the beginning; that his lordship indeed said he had not imagined reparation would be expected, and he wondered I should not know whether it was intended to demand it. Finally, Mr. Oswald acquainted me that, as the business now likely to be brought forward more particularly appertained to the department of the other secretary, Mr. Fox, he was directed to announce another agent coming from that department, who might be expected every day, viz, the Honorable Mr. Grenville, brother to Lord Temple and son of the famous Mr. George Grenville, formerly chancellor of the exchequer. I immediately wrote the following note to Count de Vergennes:

TO THE COUNT DE VERGENNES.

PASSY, May 4, 1782.

SIR: I have the honor to acquaint your excellency that Mr. Oswald is just returned from London and is now with me. He has delivered me a letter from Lord Shelburne, which I enclose for your perusal, together with a copy of my letter to which it is an

answer. He tells me that it has been agreed in council to treat at Paris, and to treat of a *general peace*, and that as it is more particularly in the department of Mr. Fox to regulate the circumstantialia, a gentleman, Mr. Grenville, to be sent by him for that purpose, may be daily expected here. Mr. Oswald will wait on your excellency whenever you shall think fit to receive him.

I am, with respect, &c.,

B. FRANKLIN.

And the next day I received the following answer :

THE COUNT DE VERGENNES TO B. FRANKLIN.

[Translation.]

VERSAILLES, *May 5, 1782.*

SIR : I have received the letter which you did me the honor to write to me the 4th instant, as also those which accompanied it. I will see you with your friend, with pleasure, at eleven o'clock to-morrow morning.

I have the honor to be, &c.,

DE VERGENNES.

Accordingly on Monday morning I went with Mr. Oswald to Versailles and we saw the minister. Mr. Oswald acquainted him with the disposition of his court to treat for a general peace, and at Paris, and he announced Mr. Grenville, who he said was to set out about the same time with him, but as he would probably come by way of Ostend might be a few days longer on the road. Some general conversation passed, agreeable enough, but not of importance.

In our return Mr. Oswald repeated to me his opinion that the affair of Canada would be settled to our satisfaction, and his wish that it might not be mentioned till towards the end of the treaty. He intimated, too, that it was apprehended the greatest obstructions in the treaty might come from the part of Spain, but said if she was unreasonable there were means to bring her to reason. That Russia was a friend to England, had lately made great discoveries on the back of North America, could make establishments there, and might easily transport an army from Kamschatka to the coast of Mexico and conquer all those countries. This appeared a little visionary at present, but I did not dispute it.

On the whole I was able to draw so little from Mr. Oswald of the sentiments of Lord Shelburne, who had mentioned him as entrusted with the communication of them, that I could not but wonder at his being sent again to me, especially as Mr. Grenville was so soon to follow.

On Tuesday I was at court, as usual on that day. M. de Vergennes asked me if Mr. Oswald had not opened himself further to me. I acquainted him with the sight I had had of the minute of council, and of the loose expressions contained in it of what was in contemplation. He seemed to think it odd that he had brought nothing more explicit.

I supposed Mr. Grenville might be better furnished. The next morning I wrote the following letter to Mr. Adams :

TO JOHN ADAMS.

PASSY, *May 8, 1782.*

SIR: Mr Oswald, whom I mentioned in a former letter, which I find you have received, is returned and brought me another letter from Lord Shelburne, of which the above is a copy. It says Mr. Oswald is instructed to communicate to me his lordship's thoughts. He is however very sparing of such communication. All I have got from him is that the ministry have in contemplation the allowing independence to America on condition of Britain being put again into the state she was left in by the peace of 1763, which I suppose means being put again in the possession of the islands which France has taken from her. This seems to me a proposition of selling to us a thing that was already our own, and making France pay the price they are pleased to ask for it.

Mr. Grenville, who is sent by Mr. Fox, is expected here daily. Mr. Oswald tells me that Mr. Laurens will soon be here also. Yours of the 2d instant is just come to hand. I shall write to you on this affair hereafter by the court couriers, for I am certain that your letters to me are opened at the post-office either here or in Holland, and I suppose that mine to you are treated in the same manner. I enclose the cover of your last that you may see the seal.

With great respect, I am, sir, &c.,

B. FRANKLIN.

I had but just sent away this letter when Mr. Oswald came in, bringing with him Mr. Grenville, who was just arrived. He gave me the following letter from Mr. Secretary Fox :

CHARLES J. FOX TO B. FRANKLIN.

ST. JAMES'S, *May 1, 1782.*

SIR: Though Mr. Oswald will no doubt have informed you of the nature of Mr. Grenville's commission, yet I can not refrain from making use of the opportunity that his going offers me to assure you of the esteem and respect which I have borne to your character, and to you to believe that no change in my situation has made any in those ardent wishes for reconciliation which I have invariably felt from the very beginning of this unhappy contest.

Mr. Grenville is fully acquainted with my sentiments upon this subject and with the sanguine hopes which I have conceived, that those with whom we are contending are too reasonable to continue a contest which has no longer any object, either real or even imaginary. I know your liberality of mind too well to be afraid lest any prejudices against Mr. Grenville's *name* may prevent you from esteeming those excellent qualities of heart and head which belong to him, or from giving the fullest credit to the sincerity of his wishes for peace, in which no man in either country goes beyond him.

I am, with great truth and regard, &c.,

C. J. Fox.

I imagined the gentlemen had been at Versailles, as I supposed Mr. Grenville would first have waited on M. de Vergennes before he called on me. But finding in conversation that he had not, and that he expected me to introduce him, I immediately wrote to that minister, acquainting him that Mr. Grenville was arrived and desired to know

when his excellency would think fit to receive him, and I sent an express with my letter.

I then entered into conversation with him on the subject of his mission, Mr. Fox having referred me to him as being fully acquainted with his sentiments. He said that peace was really wished for by everybody, if it could be obtained on reasonable terms; and as the idea of subjugating America was given up, and both France and America had thereby obtained what they had in view originally, it was hoped that there now remained no obstacle to a pacification. That England was willing to treat of a general peace with all the powers at war against her, and that the treaty should be at Paris.

I did not press him much for further particulars, supposing they were reserved for our interview with M. de Vergennes. The gentlemen did me the honor of staying to dinner with me, on the supposition, which I urged, that my express might be back before we parted. This gave me an opportunity of a good deal of general conversation with Mr. Grenville, who appeared to me a sensible, judicious, intelligent, good-tempered, and well-instructed young man, answering well the character Mr. Fox had given me of him.

They left me, however, about six o'clock, and my messenger did not return till near nine. He brought me the answer of the Count de Vergennes, that he was glad to hear of Mr. Grenville's arrival and would be ready to receive us to-morrow at half-past ten or eleven o'clock. I immediately enclosed his note in one to Mr. Grenville, requesting him to be with me at Passy, by eight, that we might have time to breakfast before we set out. I have preserved no copy of these three last-mentioned notes or I should have inserted them, as I think that though they seem of almost too trifling a nature, they serve usefully to settle dates, authenticate facts, and show something of the turn and manner of thinking of the writers on particular occasions. The answer I received was as follows:

Mr. Grenville presents his compliments to Mr. Franklin, and will certainly do himself the honor of waiting upon Mr. Franklin to-morrow morning at eight o'clock.

RUE DE RICHELIEU, *Wednesday night*.

We set out accordingly next morning in my coach and arrived punctually at Count de Vergennes's, who received Mr. Grenville in the most cordial manner on account of the acquaintance and friendship that had formerly subsisted between his uncle and Count de Vergennes when they were ambassadors together at Constantinople.

After some little agreeable conversation, Mr. Grenville presented his letters from Mr. Secretary Fox, and, I think, from the Duke of Richmond. When these were read, the subject of peace was entered upon. What my memory retains of the discourse amounts to little more than this, that, after mutual declarations of the good dispositions of the two courts, Mr. Grenville having intimated that in case England gave

America independence, France, it was expected, would restore the conquests she had made of British islands, receiving back those of Miquelon and St. Pierre. And the original object of the war being obtained, it was supposed that France would be contented with that. The minister seemed to smile at the proposed exchange, and remarked, the offer of giving independence to America amounted to little. "America," said he, "does not ask it of you; there is Mr. Franklin, he will answer you as to that point." "To be sure," I said, "we do not consider ourselves as under any necessity of bargaining for a thing that is our own, which we have bought at the expense of much blood and treasure, and which we are in possession of." "As to our being satisfied with the original object of the war," continued he, "look back to the conduct of your nation in former wars. In the last war, for example, what was the object? It was the disputed right to some waste lands on the Ohio and the frontiers of Nova Scotia. Did you content yourselves with the recovery of those lands? No, you retained at the peace all Canada, all Louisiana, all Florida, Granada, and other West India islands, the greatest part of the northern fisheries, with all your conquests in Africa and the East Indies." Something being mentioned of its not being reasonable that a nation, after making an unprovoked and unsuccessful war upon its neighbors, should expect to sit down whole, and have every thing restored which she had lost in such a war, I think Mr. Grenville remarked, the war had been provoked by the encouragement given by France to the Americans to revolt. On which the Count de Vergennes grew a little warm, and declared firmly that the breach was made, and our independence declared, long before we recieved the least encouragement from France; and he defied the world to give the smallest proof to the contrary. "There sits," said he, "Mr. Franklin, who knows the fact, and can contradict me if I do not speak the truth."

He repeated to Mr. Grenville what he had before said to Mr. Oswald respecting the king's intention of treating fairly and keeping faithfully the conventions he should enter into, of which disposition he should give at the treaty convincing proofs by the fidelity and exactitude with which he should observe his engagements with his present allies, and added, that the points which the king had chiefly in view were *justice* and *dignity*; these he could not depart from. He acquainted Mr. Grenville that he should immediately write to Spain and Holland, communicate to those courts what had passed, and request their answers; that in the mean time he hoped Mr. Grenville would find means of amusing himself agreeably, to which he should be glad to contribute; that he would communicate what had passed to the king, and he invited him to come again the next day.

On our return Mr. Grenville expressed himself as not quite satisfied with some part of the Count de Vergennes's discourse, and was thoughtful. He told me that he had brought two state messengers with him; and, perhaps, after he had another interview with the minister, he



might despatch one of them to London. I then requested leave to answer, by that opportunity, the letters I had received from Lord Shelburne and Mr. Fox, and he kindly promised to acquaint me in time of the messenger's departure. He did not ask me to go with him the next day to Versailles, and I did not offer it.

The coming and going of these gentlemen were observed, and made much talk at Paris; and the Marquis de la Fayette having learned something of their business from the minister, discoursed with me about it. Agreeably to the resolutions of Congress directing me to confer with him, and take his assistance in our affairs, I communicated to him what had passed. He told me that during the treaty at Paris for the last peace, the Duc de Nivernois had been sent to reside in London, that this court might, through him, state what was, from time to time, transacted in the light they thought best, to prevent misrepresentations and misunderstandings. That such an employ would be extremely agreeable to him on many accounts; that as he was now an American citizen, spoke both languages, and was well acquainted with our interests, he believed he might be useful in it; and that as peace was likely, from appearances, to take place, his return to America was perhaps not so immediately necessary. I liked the idea, and encouraged his proposing it to the ministry. He then wished I would make him acquainted with Messrs. Oswald and Grenville; and for that end proposed meeting them at breakfast with me, which I promised to contrive if I could, and endeavor to engage them for Saturday.

Friday morning, the 10th of May, I went to Paris, and visited Mr. Oswald. I found him in the same friendly dispositions, and very desirous of good, and seeing an end put to this ruinous war. But I got no further sight as to the sentiment of Lord Shelburne respecting the terms. I told him the Marquis de la Fayette would breakfast with me to-morrow, and as he (Mr. Oswald) might have some curiosity to see a person who had in this war rendered himself so remarkable, I proposed his doing me the same honor. He agreed to it cheerfully. I came home intending to write to Mr. Grenville, who, I supposed, might stay and dine at Versailles, and therefore did not call on him. But he was returned, and I found the following note from him:

PARIS, *May 10.*

Mr. Grenville presents his compliments to Mr. Franklin; he proposes sending a courier to England at 10 o'clock to-night, and will give him in charge any letters Mr. Franklin may wish to send by him.

I sat down immediately and wrote the two short letters following to the Secretaries of State:

TO MR. SECRETARY FOX.

PASSY, *May 10, 1782.*

SIR: I received the letter you did me the honor of writing to me by Mr. Grenville, whom I find to be a sensible, judicious, and amiable gentleman. The name, I assure you, does not, with me, lessen the regard his excellent qualities inspire. I introduced

him as soon as possible to Count de Vergennes; he will himself give you an account of his reception. I hope his coming may forward the blessed work of pacification, in which, for the sake of humanity, no time should be lost, no reasonable cause, as you observe, existing at present for the continuance of this abominable war. Be assured of my endeavors to put an end to it.

I am much flattered by the good opinion of a person I have long highly esteemed, and I hope it will not be lessened by my conduct in the affair that has given rise to our correspondence.

With great respect, I have the honor to be, &c.,

B. FRANKLIN.

TO LORD SHELburnE.

PASSY, *May 10, 1782.*

MY LORD: I have received the honor of your lordship's letter, dated the 28th past, by Mr. Oswald, informing me that he is sent back to settle with me the preliminaries of time and place. Paris, as the place, seemed to me yesterday to be agreed on between Mr. Grenville and M. de Vergennes, and is perfectly agreeable to me. The time can not well be settled till this court has received answers from Madrid and The Hague, and until my colleagues are arrived. I expect daily Messrs. Jay and Laurens. Mr. Adams doubts whether he can be here, but that will not hinder our proceeding.

It gave me great pleasure to hear Mr. Laurens is discharged entirely from the obligations he had entered into. I am much obliged by the readiness with which your lordship has conferred that favor. Please to accept my thankful acknowledgments.

I am happy, too, in understanding from your letter that transports are actually preparing to convey our prisoners to America, and that attention will be paid to their accommodation and good treatment. Those people on their return will be dispersed through every part of America, and the accounts they will have to give of any marks of kindness received by them under the present ministry will lessen much the resentment of their friends against the nation for the hardships they suffered under the *past*.

Mr. Oswald rests here awhile by my advice, as I think his presence likely to be useful.

With great and sincere respect, I have the honor to be, &c.,

B. FRANKLIN.

And I sent them to Mr. Grenville, with the following note:

Mr. Franklin presents his compliments to Mr. Grenville, and thanks him for the information of his courier's departure and his kind offer of forwarding Mr. Franklin's letter; he accepts the favor and encloses two.

The Marquis de la Fayette and Mr. Oswald will do Mr. Franklin the honor of breakfasting with him to-morrow, between nine and ten o'clock. Mr. Franklin will also be happy to have the company of Mr. Grenville, if agreeable to him. He should have waited upon Mr. Grenville to-day at Paris, but he imagined Mr. Grenville was at Versailles.

PASSY, *Friday evening, May 10.*

To which Mr. Grenville sent me this answer:

Mr. Grenville presents his compliments to Mr. Franklin, and will, with great pleasure, do himself the honor of breakfasting with Mr. Franklin to-morrow, between nine and ten o'clock. Mr. Grenville was at Versailles to-day, and should have been sorry if Mr. Franklin should have given himself the trouble of calling at Paris this morning. The courier shall certainly take particular care of Mr. Franklin's letters.

PARIS, *Friday, May 10.*

The gentlemen all met accordingly, had a good deal of conversation at and after breakfast, staid till after one o'clock, and parted much pleased with each other.

The Monday following I called to visit Mr. Grenville. I found with him Mr. Oswald, who told me he was just about returning to London. I was a little surprised at the suddenness of the resolution he had taken, it being, as he said, to set out the next morning early. I conceived the gentleman was engaged in business, so I withdrew, and went to write a few letters, among which was the following to Lord Shelburne, being really concerned at the thought of losing so good a man as Mr. Oswald :

TO LORD SHELburnE.

PASSY, *May* 16, 1782.

MY LORD: I did myself the honor of writing to your lordship a few days since by Mr. Grenville's courier, acknowledging the receipt of yours of the 23th past, by Mr. Oswald.

I then hoped that gentleman would have remained here some time; but his affairs, it seems, recall him sooner than he imagined. I hope he will return again, as I esteem him more the more I am acquainted with him, and believe his moderation, prudent counsels, and sound judgment may contribute much, not only to the speedy conclusion of a peace, but to the framing such a peace as may be firm and lasting.

With great respect, &c.

B. FRANKLIN.

I went in the evening to Mr. Oswald's lodging with my letters, when he informed me his intention was to return immediately hither from England, and, to make the more despatch in going and returning, he should leave his carriage at Calais, as the embarking and debarking of carriages in the packet boats often occasioned a tide's delay. I did not inquire the reason of this movement. We had but little conversation, for, Mr. Grenville coming in, I soon after wished him a good journey, and retired, that I might not interrupt their consultations.

Since his departure, Mr. Grenville has made me a visit; and entering into conversation with me, exactly of the same tenor with the letters I formerly received from Mr. Hartley, stating suppositions that France might insist on points totally different from what had been the object of our alliance, and that, in such case, he should imagine we were not at all bound to continue the war to obtain such points for her, &c. I thought I could not give him a better answer to this kind of discourse than what I had given in two letters to Mr. Hartley, and, therefore, calling for those letters, I read them to him. He smiled, and would have turned the conversation; but I gave a little more of my sentiments on the general subject of benefits, obligation, and gratitude. I said I thought people had often imperfect notions of their duty on those points, and that a state of obligation was to many so uneasy a state, that they became ingenious in finding out reasons and arguments to prove that they had been laid under no obligation at all, or that they had discharged it, and they too easily satisfied themselves with such arguments.

To explain clearly my ideas on the subject, I stated a case. A, a stranger to B, sees him about to be imprisoned for a debt by a merciless creditor; he lends him the sum necessary to preserve his liberty.

B then becomes the debtor of A, and, after some time, repays the money. Has he then discharged the obligation? No. He has discharged the money debt, but the obligation remains, and he is a debtor for the kindness of A in lending him the sum so seasonably. If B should afterwards find A in the same circumstances that he, B, had been in when A lent him the money, he may then discharge this obligation or debt of kindness, *in part*, by lending him an equal sum. *In part* I said, and not *wholly*, because when A lent B the money there had been no prior benefit received to induce him to it. And therefore if A should a second time need the same assistance, I thought B, if in his power, was in duty bound to afford it to him.

Mr. Grenville conceived that it was carrying gratitude very far to apply this doctrine to our situation in respect to France, who was really the party served and obliged by our separation from England, as it lessened the power of her rival and relatively increased her own.

I told him I was so strongly impressed with the kind assistance afforded us by France in our distress, and the generous and noble manner in which it was granted without exacting or stipulating for a single privilege, or particular advantage to herself in our commerce, or otherwise, that I could never suffer myself to think of such reasonings for lessening the obligation; and I hoped, and indeed did not doubt, but my countrymen were all of the same sentiments.

Thus he gained nothing of the point he came to push; we parted, however, in good humor. His conversation is always polite, and his manner pleasing. As he expressed a strong desire to discourse with me on the means of a reconciliation with America, I promised to consider the subject, and appointed Saturday, the first day of June, for our conversation, when he proposed to call on me. The same day I received another letter from my old friend, Mr. Hartley. Our former correspondence on the subject of peace since the beginning of this year I have kept by itself, as it preceded this, was in the time of the old ministry, and consisted wholly of letters unmixed with personal conversation. This being the first letter from him under the new ministry, and as it may be followed by others which may relate to the negociation, I insert it here, with my answer, and shall continue to insert the future letters I may receive from him relative to the same subject.

DAVID HARTLEY TO B. FRANKLIN.

LONDON, May 3, 1782.

MY DEAR FRIEND: I write to you only one line, just to inform you that a general order is issued by our Government for the release of all the American prisoners every where. I have had this from Lord Shelburne, who informed me that the order was not partial or conditional, but general and absolute. I heartily congratulate you upon this first step towards *sweet reconciliation*. I hope other things will follow. I had a long conversation with Lord Shelburne relating to America, in which he expressed himself in most favorable terms. I shall have the honor of seeing and conversing with you again. But at present, as you know, certain matters are depending from your side of the water.

Mr. Laurens is entirely at liberty. I see him very frequently, and when you see him he will tell you many things from me which have occurred to me in my poor endeavors to promote the cause of peace. *Da pacem, Domine, in diebus nostris.*

Your affectionate, &c.,

DAVID HARTLEY,

TO DAVID HARTLEY.

PASSY, May 13, 1782.

MY DEAR FRIEND: I have just received your favor of the 3d instant. I thank you much for the good news you give me, that "an order is issued by your Government for the release of all the American prisoners *every where*, an order not *partial* or *conditional*, but *general* and *absolute*." I rejoice with you in this step, not only on account of the unhappy captives, who, by it, will be set at liberty, and restored to their friends and families, but, as I think, it will tend greatly towards a reconciliation, on which alone the hope of a durable peace can be founded. I am much indebted to your good brother for a very kind and obliging letter, which was mislaid when it should have been answered. I beg you would present to him my thankful acknowledgments and my very sincere respects. I join with you most heartily in the prayer that ends your letter—*Da pacem, Domine, in diebus nostris.*

I am ever, my friend, yours most affectionately,

B. FRANKLIN.

Our business standing still at present, till the return of Mr. Oswald, gives me a void that I may fill up with two or three circumstances not at present connected with this intended treaty, but which serve to show something of the disposition of courts who have, or may have, a concern in it.

Mr. Jay had written to me, from time to time, of the unaccountable delays he had met with since his residence at the court of Spain, and that he was now no nearer in the business he had been charged with than when he first arrived. Upon the first coming of Mr. Oswald, and the apparent prospect of a treaty, I wrote to press his coming hither; and, being a little out of humor with that court, I said they have taken four years to consider whether they should treat with us—give them forty, and let us mind our own business; and I sent the letter under cover to a person at Madrid, who, I hoped, would open and read it.

It seems to me, that we have in most instances, hurt our credit and importance, by sending all over Europe, begging alliances, and soliciting declarations of our independence. The nations, perhaps, from thence seemed to think that our independence is something they have to sell, and that we do not offer enough for it. Mr. Adams has succeeded in Holland, owing to their war with England, and a good deal to the late votes in the commons towards a reconciliation; but the ministers of the other powers refused, as I hear, to return his visits, because our independence was not yet acknowledged by their courts. I had heard here, by good luck, that the same resolution was taken by several of them not to return the visits I should make them (as they suppose) when I was first received here as minister plenipotentiary, and disappointed their project by visiting none of them. In my private



opinion, the first civility is due from the old residents to the stranger and new comer. My opinion indeed is good for nothing against custom, which I should have obeyed, but for the circumstances that rendered it more prudent to avoid disputes and affronts, though at the hazard of being thought rude or singular.

While I am writing, something ridiculous enough on this head has happened to me. The Count du Nord, who is son of the Empress of Russia, arriving at Paris, ordered, it seems, cards of visit to be sent to all the foreign ministers. One of them, on which was written, "*Le Comte du Nord et le Prince Bariatinski*," was brought to me. It was on Monday evening last. Being at court the next day, I inquired of an old minister, my friend, what was the etiquette and whether the count received visits. The answer was, *Non ; on se fait ecrire ; voila tout*. This is done by passing the door, and ordering your name to be written on the porter's book. Accordingly, on Wednesday I passed the house of Prince Bariatinski, ambassador of Russia, where the count lodged, and left my name on the list of each. I thought no more of the matter; but this day, May the 24th, comes the servant who brought the card, in great affliction, saying he was like to be ruined by his mistake in bringing the card here, and wishing to obtain from me some paper, of I know not what kind, for I did not see him. In the afternoon came my friend, Mr. Leroy, who is also a friend of the prince's, telling me how much he, the prince, was concerned at the accident, that both himself and the count had great personal regard for me and my character, but that our independence not yet being acknowledged by the court of Russia, it was impossible for him to permit himself to make me a visit as minister. I told M. Leroy it was not my custom to seek such honors, though I was very sensible of them when conferred upon me; that I should not have voluntarily intruded a visit, and that, in this case, I had only done what I was informed the etiquette required of me; but if it would be attended with any inconvenience to Prince Bariatinski, whom I much esteemed and respected, I thought the remedy was easy—he had only to erase my name out of his book of visits received, and I would burn their card.

All the northern princes are not ashamed of a little civility committed towards an American. The King of Denmark, travelling in England under an assumed name, sent me a card expressing, in strong terms, his esteem for me, and inviting me to dinner with him at St. James's. And the ambassador from the King of Sweden lately asked me whether I had powers to make a treaty of commerce with their kingdom; for, he said, his master was desirous of such a treaty with the United States, had directed him to ask me the question, and had charged him to tell me that it would flatter him greatly to make it with a person whose character he so much esteemed, &c. Such compliments might make me a little proud, if we Americans were not naturally as much so already as the porter, who, being told he had with his burthen jostled the great



czar, Peter, then in London, walking the street: "*Poh!*" says he, "*we are all czars here!*"

I did not write by Mr. Oswald to Mr. Laurens, because, from some expressions in his last to me, I expected him here; and I desired Mr. Oswald, if he found him still in London, or met him on the road, to give him that reason. I am disappointed in my expectation, for I have now received (May 25th) the following letter from him:

HENRY LAURENS TO B. FRANKLIN.

OSTEND, May 17, 1782.

SIR: I had the honor of addressing you on the 30th ultimo by post, a duplicate of which will accompany this, in order to guard against the effect of a miscarriage in the first instance, and I beg leave to refer you to the contents.

On the 10th current, and no sooner, your very obliging favor of the 20th preceding reached me in London. Being then on the point of leaving that place, I deferred a reply until my arrival on this side. This happened yesterday, too late to catch the post of the day, except by a single letter, put into my hands, I believe, by Dr. Price, which I sent forward.

I sincerely and heartily thank you, sir, for the cordial contents of your last letter; but from the most mature reflection, and taking into consideration my present very infirm state of health, I have resolved to decline accepting the honor intended me by Congress in the commission for treating with Great Britain; and I find the less difficulty in coming to this determination, from a persuasion in my own mind that my assistance is not essential, and that it was not the view or expectation of our constituents that every one named in the commission should act. I purpose to repair to or near Mr. Adams, and inquire of him whether I may yet be serviceable under the commission to which I had been first appointed—that for borrowing money for the use of the United States. If he speaks in the affirmative I shall, though much against my own grain, as is well known at our little court, proceed in the mission with diligence and fidelity; otherwise I shall take a convenient opportunity of returning to give an account there of having, in the course of two years and upwards, done nothing, excepting only the making a great number of rebels in the enemy's country, and reconciling thousands to the doctrine of absolute and unlimited independence—a doctrine which I asserted and maintained with as much freedom in the Tower of London as I ever had done in the State House at Philadelphia; and having contentedly submitted to the loss of my estate, and being ready to lay down my life in support of it, I had the satisfaction of perceiving the coming of converts every day. I must not, however, conclude this head without assuring you that, should you think proper to ask questions respecting American commerce, or the interests of any particular State, I will answer with candor and the best judgment I am possessed of; but of that judgment I sincerely protest I have the utmost diffidence. God prosper your proceedings in the great work. You shall be called blessed by all the grateful of the present generation, and your name will be celebrated by posterity. I feel myself happy in reflecting that in the great outlines of a treaty our opinions exactly coincide; that we shall not want the countenance and assistance of our great and good ally; and that you have so honest a man as Mr. Oswald to deal with for preliminaries. I know him to be superior to chicanery, and am sure he will not defile his mind by attempting any dirty thing.

I entreat you, sir, to present my humble respects to M. de Vergennes, and thank his excellency for his polite expressions respecting me, and be so good as to say all that shall appear necessary in excuse for my non-appearance at his court.

Lord Cornwallis called on me the day before I left London, and was as you may suppose, very anxious to know when he might probably hear from me on the subject

of his release; let me, therefore, request your opinion in answer to what I had the honor of writing in my last concerning that affair. I wish it may prove satisfactory to his lordship, by enabling me, with your consent and concurrence, to cancel a debt which does not sit easy upon me, and which can not with honor to our country remain unpaid. I think we shall not, it is impossible we should, incur displeasure by doing an act of common justice, and our authority may be fairly implied.

His lordship declares he has no intention of returning to America, but desires to be reinstated in his legislative and military character in his own country; and I am of opinion that in the former he will rather be friendly to us than otherwise. For my own part, if the war continues, I should not be uneasy if his lordship were to go to the Chesapeake again.

I have a thousand compliments and good wishes to present to you from friends in England, where, males and females, I am sure you have at least so many, that your own remembrance will lead you to individuals of your old acquaintance.

To-morrow I intend to proceed to Brussels, and thence, probably, to the Hague and Amsterdam; my movements must, unavoidably, be as slow as water carriage. My weak under limbs can not bear continual thumping on the pavement in the rough machines of this country, and the feebleness of my pocket will not admit the indulgence of a more convenient vehicle. I beg, sir, you will write to me at the house of Mr. Edward Jennings, or under the protection of any other friend in that city, that will be at the trouble of finding out a voyager, who is at all times, and in all places, with the highest esteem and respect, sir, &c.,

HENRY LAURENS.

To the above I wrote the following answer:

TO HENRY LAURENS.

PASSY, May 25, 1782.

SIR: I am now honored with yours of the 17th. I had before received one of the 7th, which remained unanswered, because from the words in it, "when I reach the continent, which will probably happen in a few days," I flattered myself with the pleasure of seeing you here. That hope is disappointed by your last, in which you tell me you are determined not to act in the commission for treating of peace with Great Britain. I regret your taking this resolution, principally because I am persuaded that your assistance must have been of great service to our country. But I have besides some private or particular reasons that relate to myself.

To encourage me in the arduous task, you kindly tell me I shall be called *blessed*, &c. I have never yet known of a peace made that did not occasion a great deal of popular discontent, clamor, and censure on both sides. This is, perhaps, owing to the usual management of the leaders and ministers of the contending nations, who, to keep up the spirits of their people for continuing the war, generally represent the state of their own affairs in a better light, and that of the enemy in a worse, than is consistent with the truth; hence the populace on each side expect better terms than can really be obtained, and are apt to ascribe their disappointment to treachery. Thus the peace of Utrecht, and that of Aix la Chapelle, were said in England to have been influenced by French gold, and in France by English guineas. Even the last peace—the most glorious and advantageous for England that ever she made—was, you may remember, violently decried, and the makers as violently abused. So that the blessing promised to peace-makers, I fancy, relates to the next world; for in this they seem to have a greater chance of being cursed. And, as another text observes, that in "*the multitude of counsellors there is safety*," which, I think, may mean safety to the counsellors as well as to the counselled, because, if they commit a fault in counselling, the blame does not fall upon one or a few, but is divided among many, and the share of each is so much the lighter; or because, when a number of honest men are concerned, the suspicion of their being biased is weaker, as being more improbable; or because *defendit numerus*; for all these reasons, but especially for the

support of your established character of integrity would afford me against the attacks of enemies, if this treaty takes place, and I am to act in it, I wish for your presence, and the presence of as many of the commissioners as possible, and I hope you will reconsider and change your resolution.

In the mean time, as you have had opportunities of conversing with the new ministers, and other leading people of England, and of learning their sentiments relating to terms of peace, &c., I request that you would inform me by letters of what you think important. Letters from you will come safer by the court courier than by the post; and I desire you would, if you should continue determined not to act, communicate to me your idea of the terms to be insisted on, and the points to be attended to respecting commerce, fisheries, boundaries, and every other material circumstance that may be of importance to all or any of the United States.

Lord Shelburne having written to me on the subject of the wished-for peace, I acquainted him in my answer, sent by our friend, Mr. Oswald, that you were one of the commissioners appointed by Congress to treat with Britain; and that I imagined his lordship would, therefore, think proper to discharge you entirely from the obligations you entered into when you were admitted to bail, that you might be at liberty to act freely in the commission. He wrote to me in reply that you were accordingly discharged immediately. His lordship mentioned nothing of any exchange being expected for you; nevertheless I honor your sensibility on the point, and your concern for the credit of America, that she should not be outdone in generosity by Great Britain, and will cheerfully join with you in any act that you may think proper to discharge in return the parole of Lord Cornwallis, as far as in our power may lie; but we have no express authority for that purpose, and the Congress may possibly, in the mean time, have made some other arrangement relative to his exchange. I conceive that our acts should contain a clause reserving to Congress the final approbation or disallowance of the proceeding; and I have some doubt whether Lord Cornwallis will think himself well freed of his engagements, and at liberty to exercise his military employments, by virtue of any concession in his favor made by persons who are not vested with authority for that purpose. So that, on the whole, perhaps the best and surest way will be our writing immediately to Congress, and strongly recommending the measure. However, I will do what you shall think best.

I heartily wish you success in any endeavors you may use in Holland for raising a loan of money. We have pressed rather too hard on this court, and we still want more than they can conveniently spare us; but I am sorry that too scrupulous regard to our wants and difficulties should induce you, under the present infirmity of your lower limbs, to deny yourself the necessary comfort of an easy carriage, rather than make any use of the public assistance, when the public must be much in your debt. I beg you would get over that difficulty, and take of me what you may have occasion for.

The letter you forwarded to me was from America's constant friend, the good Bishop of St. Asaph. He speaks of you in terms of the highest esteem and respect.

Mr. Oswald has gone back again to London, but intended to return again immediately. Mr. Grenville remains here, and has received power to treat; but no further steps can be taken till Spain and Holland have empowered ministers for the same purpose.

I shall inform you and Mr. Adams (if he does not come) of the proceeding from time to time, and request your counsel in cases of any difficulty. I hope you will not think of hazarding a return to America before a peace, if we find any hopes of its being soon obtained; and that, if you do not find you can be useful in the manner you wish in Holland, you will make me happy by your company and counsel here.

With great and sincere esteem, &c.,

B. FRANKLIN.

May the 26th I received the following letters and papers from Mr. Hartley:

(One of these letters is dated May 1st, which, together with a paper called the *Breviate*, is printed above, pp. 249, 254.)

DAVID HARTLEY TO B. FRANKLIN.

LONDON, May 13, 1782.

MY DEAR FRIEND: I wrote you a long letter, dated May 1st, 1782, by Mr. Laurens, who left London on Saturday last, but I will add a few lines now by a conveyance which I believe will overtake him, just to tell you two or three things which I believe I omitted in my last. Perhaps they may not be of any consequence, but as they relate to my own conduct I could wish to have you understand them.

After several conferences with the late ministry, I gave in the paper called the *Breviate*, on the 7th of February, but I never received any answer from them. They resigned on the 20th of March. Upon the accession of the new ministry, I heard nothing from them upon the subject, nor indeed did I apply to them. I did not know whether that paper would not come into their hands by succession, and I doubted whether it might not be more proper for me to wait till I heard from them. While I remained doubtful about this, I received your letters, which determined me to go to Lord Shelburne. This was about the beginning of the present month. I communicated to him some extracts, such as those about the prisoners, &c., and likewise the whole of your letter of April 13th, containing the offer of the late ministry, the King of France's answer, together with your reflections in the conclusion respecting peace. As you had given me a general permission, I left with him a copy of the whole letter.

Upon the occasion of this interview, Lord Shelburne told me that he had made much inquiry in the offices for the correspondence and papers which had passed between the late ministry and me, but that he could not meet with them. He expressed a regret that he had not conversed with me at an earlier day, with many civilities of that kind. In short, I had been backward to intrude myself, and he expressed regret that he had not sent for me.

Upon this opening on his part, I stated to him the substance of what passed between the late ministry and myself, and I left a copy of the *Breviate* with him. He gave me a very attentive audience, and I took that opportunity of stating my sentiments to him, as far as I could, upon every view of the question. Upon his expressing his regret that he had not seen me sooner, I told him that I always had been, and always should be, most ready to give any assistance in my power towards the work of peace. I say the same to you.

I do not believe that there is any difference of sentiment between you and me, *personally*, in our own minds upon independence, &c., &c. But we belong to different communities, and the right of judgment, and of consent and dissent, is vested in the community. Divide independence into six millions of shares, and you should have been heartily *welcome* to *my* share from the beginning of the war. Divide Canada into six millions of shares, I could find a better method of disposing of *my* share than by offering it to France to abandon America. Divide the rock of Gibraltar into six millions of pieces, I can only answer for one portion. Let reason and justice decide in any such case, as universal umpires between contending parties, and those who wish well to the permanent peace of mankind will not refuse to give and to receive equal justice.

I agree with you that the equitable and the philosophical principles of politics can alone form a solid foundation of permanent peace; and the contraries to them, though highly patronized by nations themselves and their ministers, are no better than vulgar errors; but nations are slow to convictions from the personal arguments of individuals. "They are jealous in honor, seeking the *bubble reputation* even in the cannon's mouth." But until a confirmed millennium, founded upon wiser principles,

shall be generally established, the *reputation* of nations is not merely a *bubble*. It forms their real security.

To apply all this, in one word, let all nations agree, with one accord, to beat their swords into ploughshares, and their spears into pruning hooks, or give me wooden walls to Great Britain! I have nothing further to add. My reason for writing this was just to communicate to you in what position I had delivered over my conferences and arguments with the late ministry into the hands of the present. And I will conclude with your own words, may God send us all more wisdom.

I am ever, most affectionately, yours, &c.,

D. HARTLEY.

MAY 17, 1782.

P. S.—Since writing the above, I have likewise left a copy of the enclosed preliminaries with Lord Shelburne.

PRELIMINARIES.

MAY, 1782.

1. That the British troops shall be withdrawn from the Thirteen Provinces of North America, and a truce made between Great Britain and the said Provinces for — years. (Suppose ten or twenty years.)

2. That a negotiation for peace shall *bona fide* be opened between Great Britain and the allies of America.

3. If the proposed negotiation between Great Britain and the allies of America should not succeed so far as to produce peace, but that war should continue between the said parties, that America should act and be treated as a neutral nation.

4. That whenever peace shall take place between Great Britain and the allies of America, the truce between Great Britain and America shall be converted into a perpetual peace, the independence of America shall be admitted and guarantied by Great Britain, and a commercial treaty settled between them.

5. That these propositions shall be made to the court of France, for communication to the American commissioners, and for an answer to the court of Great Britain.

The same day Mr. Grenville visited me. He acquainted me that his courier was returned, and had brought him full powers in form to treat for a peace *with France and her allies*; that he had been at Versailles, and had shown his power to M. de Vergennes, and left a copy with him; that he had also a letter of credence, which he was not to deliver till France should think fit to send a minister of the same kind to London; that M. de Vergennes had told him that he would lay it before the king, and had desired to see him again on Wednesday; that Mr. Oswald had arrived in London about an hour before the courier came away; that Mr. Fox in his letter had charged him to thank me for that which I had written, and to tell me that he hoped I would never forget that he and I were of the same country.

I answered that I should always esteem it an honor to be owned as a countryman of Mr. Fox. He had requested me at our last interview that, if I saw no impropriety in doing it, I would favor him with a sight of the treaty of alliance between France and America. I acquainted him that it was printed, but that if he could not readily meet with a copy I would have one written for him. And as he had not been able to find one I this day gave it to him.

He lent me a London Gazette containing Admiral Rodney's account of his victory over M. de Grasse, and the accounts of other successes



in the East Indies, assuring me, however, that these events made not the least change in the sincere desire of his court to treat for peace.

In the afternoon the Marquis de la Fayette called upon me. I acquainted him with what Mr. Grenville had told me respecting the credential letter and the expectation that a person on the part of this court would be sent to London with a commission similar to his. The marquis told me he was on his way to Versailles and should see M. de Vergennes. We concluded that it would now be proper for him to make the proposition we had before talked of, that he should be the person employed in that service.

On Monday, the 27th, I received a letter from Mr. Jay dated the 8th, acquainting me that he had received mine of the 21st and 22d past, and had concluded to set out for Paris about the 19th, so that he may be expected in a few days.

I dined this day with Count d'Estaing and a number of brave marine officers that he had invited. We were all a little dejected with the news. I mentioned, by way of encouragement, the observation of the Turkish bashaw who was taken with his fleet at Leponto by the Venetians. "Ships," says he, "are like my master's beard; you may cut it, but it will grow again. He has cut off from your government all the Morea, which is like a limb, which you will never recover." And his words proved true.

On Tuesday I dined at Versailles with some friends, so was not at home when the Marquis de la Fayette called to acquaint me that M. de Vergennes informed him that the full power received by Mr. Grenville from London, and communicated by him, related to France only. The marquis left for me this information, which I could not understand. On Wednesday I was at court and saw the copy of the power. It appeared full with regard to treating with France, but mentioned not a word of her allies; and as M. de Vergennes had explicitly and constantly, from the beginning, declared to the several messengers, Mr. Forth, Mr. Oswald, and Mr. Grenville, that France could only treat in concert with her allies, and it had in consequence been declared on the part of the British ministry that they consented to treat for a general peace, and at Paris, the sending of this partial power seemed to be insidious and a mere invention to occasion delay, the late disasters to the French fleet having probably given the court of England fresh courage and other views.

M. de Vergennes said he should see Mr. Grenville on Thursday and would speak his mind to him on the subject very plainly. "They want," said he, "to treat with us for you, but this the king will not agree to. He thinks it not consistent with the dignity of your state. You will treat for yourselves, and every one of the powers at war with England will make its own treaty. All that is necessary for our common security is that the treaties go hand in hand and are signed all on the same day."



Prince Bariatinski, the Russian ambassador, was particularly civil to me this day at court, apologized for what passed relating to the visit, expressed himself extremely sensible of my friendship in covering the affair which might have occasioned to him very disagreeable consequences, &c. The Count du Nord came to M. de Vergeunes while we were drinking coffee after dinner. He appears lively and active, with a sensible, spirited countenance. There was an opera at night for his entertainment. The house being richly furnished with abundance of carving and gilding, well illuminated with wax tapers, and the company all superbly dressed, many of the men in cloth of tissue, and the ladies sparkling with diamonds, formed altogether the most splendid spectacle my eyes ever beheld.

I had some little conference to-day with MM. Berkenrode, Vanderpierre, and Boeris, the ambassador of Holland, and the agents of the Dutch East India Company. They informed me that the second letter of Mr. Fox to the mediating minister of Russia, proposing a separate peace with Holland, made no more impression than the first, and no peace would be made but in concurrence with France.

The Swedish minister told me he expected orders from his court relative to a treaty, etc.

I had, at our last interview, given Mr. Grenville a rendezvous for Saturday morning, and having some other engagements for Thursday and Friday, though I wish to speak with him on the subject of his power, I did not go to him, but waited his coming to me on Saturday. On Friday, May 31st, Mr. Oswald called on me, being just returned, and brought me the following letters from Lord Shelburne, the first of which had been written before his arrival :

LORD SHELburne TO B. FRANKLIN.

WHITEHALL, *May* 28, 1782.

SIR: I am honored with your letter of the 10th instant, and am very glad to find that the conduct which the king has empowered me to observe towards Mr. Laurens and the American prisoners has given you pleasure. I have signified to Mr. Oswald his majesty's pleasure that he shall continue at Paris till he receives orders from hence to return. In the present state of this business there is nothing for me to add but my sincere wishes for a happy issue, and to repeat my assurances that nothing shall be wanting on my part which can contribute to it.

I have the honor to be, with very great regard,

SHELburne.

LORD SHELburne TO B. FRANKLIN.

WHITEHALL, *May* 29, 1782.

SIR: I have the honor to receive your letter of the 13th of May by Mr. Oswald. It gives me great pleasure to find my opinion of the moderation, prudence, and judgment of that gentleman confirmed by your concurrence; or I am glad to assure you that we likewise concur in hoping that those qualities may enable him to contribute to the speedy conclusion of a peace, and such a peace as may be firm and long lasting. In that hope he has the king's orders to return immediately to Paris; and you will find him, I trust, properly instructed to coöperate in so desirable an object.

I have the honor to be, etc.,

SHELburne.

I had not then time to converse much with Mr. Oswald, and he promised to come and breakfast with me on Monday.

SATURDAY, *June 5.*

Mr. Grenville came according to appointment. Our conversation began by my acquainting him that I had seen the Count de Vergennes, and had perused the copy left with him of the power to treat. That after what he, Mr. Grenville, told me of its being to treat with France *and her allies*, I was a little surprised to find in it no mention of the allies, and that it was only to treat with the King of France and his ministers; that at Versailles there was some suspicion of its being intended to occasion delay, the professed desire of a speedy peace being, perhaps, abated in the British court since its late successes; but that I imagined the words relating to the allies might have been accidentally omitted in transcribing, or that perhaps he had a special power to treat with us distinct from the other. He answered that the copy was right, and that he had no such power in form, but that his instructions were full to that purpose, and he was sure the ministers had no desire of delay, nor any of excluding us from the treaty, since the greatest part of those instructions related to treating with me. That, to convince me of the sincerity of his court respecting us, he would acquaint me with one of his instructions, though, perhaps, the doing it now was premature, and therefore a little inconsistent with the character of a politician, but he had that confidence in me that he should not hesitate to inform me (though he wished that at present it should go no further), *he was instructed to acknowledge the independence of America previous to the commencement of the treaty.* And he said he could only account for the omission of America in the POWER by supposing that it was an old official form, copied from that given to Mr. Stanley when he came over hither before the last peace. Mr. Grenville added that he had, immediately after his interview with the Count de Vergennes, despatched a courier to London, and hoped that with his return the difficulty would be removed. That he was perfectly assured their late success had made no change in the disposition of his court to peace, and that he had more reason than the Count de Vergennes to complain of delays, since five days were spent before he could obtain a passport for his courier, and then it was not to go and return by way of Calais, but to go by Ostend, which would occasion a delay of five days longer. Mr. Grenville then spoke much of the high opinion the present ministry had of me, and their great esteem for me, their desire of a perfect reconciliation between the two countries, and the firm and general belief in England that no man was so capable as myself of proposing the proper means of bringing about such a reconciliation, adding that, if the old ministers had formerly been too little attentive to my counsels, the present were very differently disposed, and he hoped that in treating with them I would totally forget their predecessors.

The time has been when such flattering language, as from great men,

might have made me vainer, and had more effect on my conduct than it can at present, when I find myself so near the end of life as to esteem lightly all personal interests and concerns, except that of maintaining to the last, and leaving behind me the tolerably good character I have hitherto supported.

Mr. Grenville then discoursed of our resolution not to treat without our allies. This, says he, can only properly relate to France, with whom you have a treaty of alliance, but you have none with Spain, you have none with Holland. If Spain and Holland, and even if France should insist on unreasonable terms of advantage to themselves, after you have obtained all you want, and are satisfied, can it be right that America should be dragged on in a war for their interest only? He stated this matter in various lights, and pressed it earnestly. I resolved from various reasons to evade the discussion, therefore answered, that the intended treaty not being yet begun, it appeared unnecessary to enter at present into considerations of that kind. The preliminaries being once settled, and the treaty commenced, if any of the other powers should make extravagant demands on England, and insist on our continuing the war till those were complied with, it would then be time enough to consider what our obligations were, and how far they extended. The first thing necessary was for him to procure the full powers, the next for us to assemble the plenipotentiaries of all the belligerent parties, and then propositions might be mutually made, received, considered, answered, or agreed to. In the mean time, I would just mention to him that though we were yet under no obligations to Spain by treaty, we were under obligations of gratitude for the assistance she had afforded us; and, as Mr. Adams had some weeks since commenced a treaty in Holland, the terms of which I was not yet acquainted with, I knew not but that we might have already some alliance and obligations contracted there; and perhaps we ought, however, to have some consideration for Holland on this account, that it was in vengeance for the friendly disposition shown by some of her people to make a treaty of commerce with us that England had declared the war against her.

He said it would be hard upon England if, having given reasonable satisfaction to one or two of her enemies, she could not have peace with those till she had complied with whatever the others might demand, however unreasonable, for so she might be obliged to pay for every article four-fold. I observed that when she made her propositions, the more advantageous they were to each the more it would be the interest of each to prevail with the others to accept those offered to them. We then spoke of the reconciliation; but his full power not being yet come, I chose to defer entering upon that subject at present. I told him I had thoughts of putting down in writing the particulars that I judged would conduce to that end, and of adding my reasons that this required a little time, and I had been hindered by accidents, which was true,

for I had begun to write, but had postponed it on account of his defective power to treat; but I promised to finish it as soon as possible. He pressed me earnestly to do it, saying an expression of mine in a former conversation, that there still remained *roots of good will* in America towards England, which, if properly taken care of, might produce a reconciliation, had made a great impression on his mind, and given him infinite pleasure, and he hoped I would not neglect furnishing him with the information of what would be necessary to nourish these *roots*, and could assure me that my advice would be greatly regarded.

Mr. Grenville had shown me at our last interview a letter from the Duke of Richmond to him, requesting him to prevail with me to disengage a Captain McLeod, of the artillery, from his parole, the Duke's brother, Lord George Lenox, being appointed to the command of Portsmouth, and desiring to have him as his aid-de-camp. I had promised to consider of it, and this morning I sent him the following letter:

TO MR. GRENVILLE.

PASSY, *May 31, 1782.*

SIR: I do not find that I have any express authority to absolve a parole given by an English officer in America, but desirous of complying with a request of the Duke of Richmond as far as may be in my power, and being confident that the Congress will be pleased with whatever may oblige a personage they so much respect, I do hereby consent that Captain McLeod serve in his military capacity in England only till the pleasure of the Congress is known, to whom I will write immediately, and who, I make no doubt, will discharge him entirely.

I have the honor to be, &c.,

B. FRANKLIN.

America had been constantly befriended in Parliament by the Duke of Richmond; and I believed the Congress would not be displeased that this opportunity was taken of obliging him, and that they would by their approbation supply the deficiency of my power. Besides, I could not well refuse it, after what had passed between Mr. Laurens and me, and what I have promised to do for that gentleman.

SUNDAY, *June 2.*

The Marquis de la Fayette called and dined with me. He is uneasy about the delay, as he can not resolve concerning his voyage to America till some certainty appears of there being a treaty or no treaty. This day I wrote the following letter to Mr. Adams:

TO JOHN ADAMS.

PASSY, *June 2, 1782.*

SIR: Since mine of May 8th, I have not had anything material to communicate to your excellency. Mr. Grenville indeed arrived just after I had despatched that letter, and I introduced him to M. de Vergennes, but, as his mission seemed only a repetition of that by Mr. Oswald, the same declaration of the King of England's sincere desire of peace, and willingness to treat at Paris, which were answered by the same declarations of the good dispositions of this court, and that it could not treat without the concurrence of its allies, I omitted writing till something should be produced from a kind of agreement, that M. de Vergennes would acquaint Spain and Holland with

the overture, and Mr. Grenville would write for full powers to treat, and make propositions; nothing of importance being in the mean time to be transacted.

Mr. Grenville accordingly despatched a messenger for London, who returned in about twelve days. Mr. Grenville called on me, after having been at Versailles, and acquainted me that he had received the power, and had left a copy of it with M. de Vergennes, and that he was therefore authorized to treat with France and her *allies*. The next time I went to Versailles, I desired to see that copy, and was surprised to find in it no mention of the allies of France, or any one of them; and, on speaking with M. de Vergennes about it, I found he began to look upon the whole as a piece of artifice to amuse us, and gain time; since he had uniformly declared to every agent who had appeared there, viz: to Forth, Oswald, and Grenville, that the king would not treat without the concurrence of his allies, and yet England had given a power to treat with France only, which showed she did not intend to treat at all, but meant to continue the war.

I had not till yesterday an opportunity of talking with Mr. Grenville on the subject; and expressing my wonder, that after what he told me there should be no mention made of our States in his commission. He could not explain this to my satisfaction, but said he believed the omission was occasioned by their copying an old commission given to Mr. Stanley at the last treaty of peace, for he was sure the intention was, that he should treat with us, his instructions being fully to that purpose. I acquainted him that I thought a special commission was necessary, without which we could not treat with him. I imagine that there is a reluctance in their king to take this first step, as the giving such a commission would itself be a kind of acknowledgment of our independence. Their late success against Count de Grasse may also have given them hopes, that by delay and more successes they may make that acknowledgment and a peace less necessary.

Mr. Grenville has written to his court for further instructions. We shall see what the return of his courier will produce. If full power to treat with each of the powers at war against England does not appear, I imagine the negociation will be broken off. Mr. Grenville, in his conversation with me, insists much on our being under no engagements not to make a peace without Holland. I have answered him, that I know not but that you may have entered into some, and if there should be none, a general pacification, made at the same time, would be best for us all, and that I believe neither Holland nor we could be prevailed on to abandon our friends. What happens further shall be immediately communicated.

Be pleased to present my respects to Mr. Laurens, to whom I wrote some days since. Mr. Jay, I suppose, is on his way hither.

With great respect, &c.,

B. FRANKLIN.

On Monday the 3d, Mr. Oswald came according to appointment. He told me he had seen and had conversations with Lord Shelburne, Lord Rockingham, and Mr. Fox; that their desire of peace continued uniformly the same, though he thought some of them were a little too much elated with the late victory in the West Indies, and when observing his coolness, they asked him if he did not think it a very good thing; yes, said he, if you do not rate it too high. He went on with the utmost frankness to tell me that the peace was absolutely necessary for them; that the nation had been foolishly involved in four wars, and could no longer raise money to carry them on, so that if they continued it would be absolutely necessary for them to stop payment of the interest money on the funds, which would ruin their future credit. He spoke of stopping on all sums above £1,000 and continuing to pay on those



below, because the great sums belonged to the rich, who could better bear the delay of their interest, and the smaller sums to the poorer persons, who would be more hurt and make more clamor, and that the rich might be quieted by promising them interest upon their interest. All this looked as if the matter had been seriously thought on.

Mr. Oswald has an air of great simplicity and honesty, yet I could hardly take this to be merely a weak confession of their deplorable state, and thought it might be rather intended as a kind of intimidation, by showing us that they had still that resource in their power, which he said would furnish five millions a year. But, he added, our enemies may do what they please with us; *they have the ball at their foot*, was his expression, and we hope they will show their moderation and magnanimity. He then repeatedly mentioned the great esteem the ministers had for me; that they, with all the considerate people of England, looked to and depended on me for the means of extricating the nation from its present desperate situation, and that, perhaps, no single man had ever in hands an opportunity of doing so much good as I had at this present time, with much more to that purpose. He then showed me a letter to him from Lord Shelburne, partly, I suppose, that I might see his lordship's opinion of me, which, as it has some relation to the negociation, is here inserted. He left it with me, requesting that I would communicate it to Mr. Walpole.

LORD SHELBURNE TO RICHARD OSWALD.

WHITEHALL, May 21, 1782.

SIR: It has reached me that Mr. Walpole esteems himself much injured by your going to Paris, and that he conceives it was a measure of mine, intended to take the present negociation with the court of France out of his hands, which he conceives to have been previously commenced through his channel, by Mr. Fox. I must desire that you will have the goodness to call upon Mr. Walpole and explain to him distinctly how very little foundation there is for so unjust a suspicion, as I knew of no such intercourse. Mr. Fox declares he considered what had passed between him and Mr. Walpole of a mere private nature, not sufficiently material to mention to the king or the cabinet, and will write to Mr. Walpole to explain this distinctly to him.

But if you find the least suspicion of this kind has reached Dr. Franklin or the Count de Vergennes, I desire this matter may be clearly explained to both. I have too much friendship for Dr. Franklin and too much respect for the character of Count de Vergennes, with which I am perfectly acquainted, to be so indifferent to the good opinion of either as to suffer them to believe me capable of an intrigue, where I have both professed and observed a direct opposite course of conduct. In truth, I hold it in such perfect contempt that, however proud I may be to serve the king in my present situation, or in any other, and however anxious I may be to serve my country, I should not hesitate a moment about retiring from any situation which required such services. But I must do the king justice to say that his majesty abhors them, and I need not tell you that it is my fixed principle that no country in any moment can be advantaged by them.

I am, with great truth and regard, &c.,

SHELBURNE.



In speaking further of the ministry's opinion of the great service it might be in my power to render, Mr. Oswald said he had told them in one of his conversations that nothing was to be expected of me but consistency, nothing unsuitable to my character, or inconsistent with my duty to my country. I did not ask him the particular occasion of his saying this, but thought it looked a little as if something inconsistent with my duty had been talked of or proposed. Mr. Oswald also gave me a copy of a paper of memorandums, written by Lord Shelburne, viz:

1. That I am ready to correspond more particularly with Dr. Franklin, if wished.
2. That the *Enabling Act* is passing with the insertion of commissioners recommended by Mr. Oswald; and, on our part commissioners will be named, or any character given to Mr. Oswald, which Dr. Franklin and he may judge conducive to a final settlement of things between Great Britain and America, which Dr. Franklin very properly says requires to be treated in a very different manner from the peace between Great Britain and France, who have always been at enmity with each other.
3. That an establishment for the loyalists must always be on Mr. Oswald's mind, as it is uppermost in Lord Shelburne's, besides other steps in their favor to influence the several States to agree to a fair restoration or compensation for whatever confiscations have taken place.
4. To give Lord Shelburne's letter about Mr. Walpole to Dr. Franklin.

On perusing this paper I recollected that a bill had been some time since proposed in Parliament, *to enable his majesty to conclude a peace or truce with the revolted provinces in America*, which I supposed to be the enabling bill mentioned that had hitherto slept and, not having been passed, was perhaps the true reason why the Colonies were not mentioned in Mr. Grenville's commission. Mr. Oswald thought it likely, and said that the words, "Insertion of commissioners recommended by Mr. Oswald," related to his advising an express mention in the bill of the commissioners appointed by Congress to treat of peace, instead of the vague denomination of *any person or persons, &c.*, in the first draft of the bill.

As to the loyalists, I repeated what I had said to him when first here, that their estates had been confiscated by the laws made in particular States where the delinquents had resided, and not by any law of Congress, who, indeed had no power either to make such laws or to repeal them, or to dispense with them, and therefore could give no power to their commissioners to treat of a restoration for those people; that it was an affair appertaining to each State. That if there were justice in compensating them, it must be due from England rather than America; but in my opinion England was not under any very great obligations to them, since it was by their misrepresentations and bad counsels she had been drawn into this miserable war. And that if an account was to be brought against us for their losses, we should more than balance it by an account of the ravages they had committed all along the coasts of America.

Mr. Oswald agreed to the reasonableness of all this, and said he had, before he came away, told the ministers that he thought no recompense

to those people was to be expected from us ; that he had also, in consequence of our former conversation on that subject, given it as his opinion that Canada should be given up to the United States, as it would prevent the occasions of future difference ; and as the government of such a country was worth nothing and of no importance, if they could have there a free commerce ; that the Marquis of Rockingham and Lord Shelburne, though they spoke reservedly, did not seem very averse to it, but that Mr. Fox appeared to be startled at the proposition. He was, however, not without hopes that it would be agreed to.

We now come to another article of the note, viz : “ On our part commissioners will be named, or any character given to Mr. Oswald which Dr. Franklin and he may judge conducive to a final settlement of things between Great Britain and America.”

This he said was left entirely to me, for he had no will in the affair ; he did not desire to be further concerned than to see it *in train* ; he had no personal views either of honor or profit. He had now seen and conversed with Mr. Grenville ; thought him a very sensible young gentleman and very capable of the business ; he did not, therefore, see any further occasion there was for himself ; but if I thought otherwise and conceived he might be further useful, he was content to give his time and service in any character or manner I should think proper. I said his knowledge of America, where he had lived, and with every part of which and of its commerce and circumstances he was well acquainted, made me think that in persuading the ministry to things reasonable relating to that country, he could speak or write with more weight than Mr. Grenville, and therefore I wished him to continue in the service ; and I asked him whether he would like to be joined in a general commission for treating with all the powers at war with England, or to have a special commission to himself for treating with America only. He said he did not choose to be concerned in treaty with the foreign powers, for he was not sufficiently a master of their affairs or of the French language, which probably would be used in treating ; if, therefore, he accepted of any commission it should be that of treating with America. I told him I would write to Lord Shelburne on the subject ; but Mr. Grenville having some time since despatched a courier, partly on account of the commission, who was not yet returned, I thought it well to wait a few days till we could see what answer he would bring or what measures were taken. This he approved of.

The truth is, he appears so good and so reasonable a man that, though I have no objection to Mr. Grenville, I should be loth to lose Mr. Oswald. He seems to have nothing at heart but the good of mankind and putting a stop to mischief ; the other, a young statesman, may be supposed to have naturally a little ambition of recommending himself as an able negociator.

In the afternoon M. Boeris, of Holland, called on me and acquainted me that the answer had not yet been given to the last memorial from

Russia relating to the mediation ; but it was thought it would be in respectful terms to thank her Imperial majesty for her kind offers, and to represent the propriety of their connexion with France in endeavors to obtain a general peace, and that they conceived it would be still more glorious for her majesty to employ her influence in procuring a general than a particular pacification. M. Boeris further informed me that they were not well satisfied in Holland with the conduct of the Russian court, and suspected views of continuing the war for particular purposes.

TUESDAY, *June 4.*

I have received another packet from Mr. Hartley. It consisted of duplicates of former letters and papers already inserted, and contained nothing new but the following letter from Colonel Hartley, his brother :

W. H. HARTLEY TO B. FRANKLIN.

SOHO SQUARE, *May 24, 1782.*

DEAR SIR: It is with the greatest pleasure I take my pen to acknowledge your remembrance of me in yours to my brother, and to thank you for those expressions of regard which I can assure you are mutual. My brother has desired me to copy some letters and papers by way of sending you duplicates. I am particularly happy at the employment because the greatest object of my parliamentary life has been to coöperate with him in his endeavors to put a period to this destructive war and forward the blessed work of peace. I hope to see him again in that situation where he can so well serve his country with credit to himself; and while I have the honor of being in Parliament, my attention will be continued to promote the effects which will naturally flow from those principles of freedom and universal philanthropy you have both so much supported. While I copy his words my own feelings and judgment are truly in unison, and I have but to add the most ardent wish that peace and happiness may crown the honest endeavors towards so desirable an end.

I am, dear sir, with the greatest respect and esteem, yours, sincerely,

W. H. HARTLEY.

WEDNESDAY, *June 5.*

Mr. Oswald called again to acquaint me that Lord Cornwallis, being very anxious to be discharged from his parole as soon as possible, had sent a Major Ross hither to solicit it, supposing Mr. Laurens might be here with me. Mr. Oswald told me (what I had not heard before) that Mr. Laurens, while prisoner in the Tower, had proposed obtaining the discharge of Lord Cornwallis in exchange for himself, and had promised to use his utmost endeavors to that purpose in case he was set at liberty, not doubting of the success. I communicated to Mr. Oswald what had already passed between Mr. Laurens and me respecting Lord Cornwallis, which appears in the preceding letters, and told him I should have made less difficulty about the discharge of his parole if Mr. Laurens had informed me of his being set at liberty in consequence of such an offer and promise, and I wished him to state this in a letter to me that it might appear for my justification in what I might, with Mr. Laurens, do in the affair, and that he would procure for me from

Major Ross a copy of the parole that I might be better acquainted with the nature of it. He accordingly in ~~the~~ afternoon sent me the following letter:

[See this letter, *supra*, June 5, 1782; also the answer of same date.]

FRIDAY, June 7.

Major Ross called upon me to thank me for the favorable intentions I had expressed in my letter to Mr. Oswald respecting Lord Cornwallis, and to assure me that his lordship would forever remember it with gratitude, &c. I told him it was our duty to alleviate, as much as we could, the calamities of war; that I expected letters from Mr. Laurens relating to the affair, after the receipt of which I would immediately complete it. Or, if I did not hear from Mr. Laurens, I would speak to the Marquis de la Fayette, get his approbation, and finish it without further delay.

SATURDAY, June 8.

I received some newspapers from England, in one of which is the following paragraph:

[From the London Evening Post of May 30, 1782.]

If report on the spot speak truth, Mr. Grenville, in his first visit to Dr. Franklin, gained a considerable point of information as to the powers America had retained for treating *separately* with Great Britain in case her claims, or demands, were granted.

The treaty of February 6, 1778, was made the basis of this conversation; and by the spirit and meaning of this treaty there is no obligation on America not to treat separately for peace, after she is assured England will grant her independence and a free commerce with all the world.

The first article of that treaty engages America and France to be bound to each other as long as *circumstances* may require; therefore the granting America all she asks of England is breaking the bond by which the *circumstances* may bind America to France.

The second article says, the meaning and direct end of the alliance is to insure the freedom and independence of America. Surely, then, when freedom and independence are allowed by Britain, America may, or may not, as she chooses, put an end to the present war between England and America, and leave France to war on through all her mad projects of reducing the power and greatness of England, while America feels herself possessed of what she wishes.

By the 8th article of the treaty, neither France nor America can conclude peace without the assent of the other, and they engage not to lay down their arms until the independence of America is acknowledged; but this article does not exclude America from entering into a separate treaty for peace with England, and evinces more strongly than the former articles that America may enter into a separate treaty with England when she is convinced that England has insured to her *all that she can reasonably ask*.

I conjecture that this must be an extract from a letter of Mr. Grenville's; but it carries an appearance as if he and I had agreed in these imaginary discourses of America's being at liberty to make peace without France, and whereas my whole discourse, in the strongest terms,

declared our determinations to the contrary, and the impossibility of our acting, not only contrary to the treaty, but the duties of gratitude and honor, of which nothing is mentioned. This young negociator seems to value himself on having obtained from me a copy of the treaty. I gave it him freely, at his request, it being not so much a secret as he imagined, having been printed—first in all the American papers soon after it was made; then at London in Almon's Remembrancer, which I wonder he did not know; and afterwards in a collection of the American Constitutions, published by order of Congress. As such imperfect accounts of our conversations find their way into the English papers, I must speak to this gentleman of its impropriety.

SUNDAY, *June 9.*

Dr. Bancroft, being intimately acquainted with Mr. Walpole, I this day gave him Lord Shelburne's letter to Mr. Oswald, requesting he would communicate it to that gentleman. Dr. Bancroft said it was believed both Russia and the emperor wish the continuance of the war, and aimed at procuring for England a peace with Holland, that England might be better able to continue it against France and Spain.

The Marquis de la Fayette having proposed to call on me to-day, I kept back the discharge of Lord Cornwallis, which was written and ready, desiring to have his approbation of it, as he had in a former conversation advised it. He did not come, but late in the evening sent me a note acquainting me that he had been prevented by accompanying the great duke to the review, but would breakfast with me to-morrow morning.

This day I received a letter from Mr. Dana, dated at St. Petersburg, April 29th, in which is the following passage: "We yesterday received the news that the States-General had on the 19th of this month (u. s.) acknowledged the independence of the United States. This event gave a shock here, and is not well received, as they at least profess to have flattered themselves that the mediation would have prevented it and otherwise brought on a partial peace between Britain and Holland. This resentment, I believe, will not be productive of any ill consequences to the Dutch Republic." It is true that while the war continues Russia feels a greater demand for the naval stores and perhaps at a higher price. But is it possible that for such petty interests mankind can wish to see their neighbors destroy each other? Or has the project lately talked of some foundation, that Russia and the emperor intend driving the Turks out of Europe, and do they therefore wish to see France and England so weakened as to be unable to assist those people?

MONDAY, *June 12.*

The Marquis de la Fayette did not come till between eleven and twelve. He brought with him Major Ross. After breakfast he told me (Major Ross being gone into another room) that he had seen Mr. Gren-



ville lately, who asked him when he should go to America. That he had answered, I have stayed here longer than I should otherwise have done, that I might see whether we were to have peace or war; but as I see that the expectation of peace is a joke, and that you only amuse us without any real intention of treating, I think to stay no longer, but set out in a few days. On which Mr. Grenville assured him that it was no joke, that they were very sincere in their proposal of treating, and four or five days would convince the Marquis of it.

The Marquis then spoke to me about a request of Major Ross's in behalf of himself, Lord Chewton, a lieutenant-colonel, and Lieutenant Haldane, who were aids-de-camp to Lord Cornwallis, that they, too, might be set at liberty with him. I told the marquis that he was better acquainted with the custom in such cases than I; and being himself one of the generals to whom their parole had been given, he had more right to discharge it than I had, and that if he judged it a thing proper to be done I wished him to do it. He went into the bureau, saying he would write something, which he accordingly did; but it was not, as I expected, a discharge that he was to sign; it was for me to sign; and the major, not liking that which I had drawn for Lord Cornwallis, because there was a clause in it reserving to Congress the approbation or disallowance of my act, went away without taking it. Upon which I the next morning wrote the following to Mr. Oswald:

TO RICHARD OSWALD.

PASSY, *June 11, 1782.*

SIR: I did intend to have waited on you this morning to inquire after your health and deliver the enclosed paper relating to the parole of Lord Cornwallis, but being obliged to go to Versailles I must postpone my visit till to-morrow.

I do not conceive that I have any authority, in virtue of my office here, to absolve that parole in any degree; I have, therefore, endeavored to found it as well as I could on the express power given me by Congress to exchange General Burgoyne for Mr. Laurens. A reservation is made of confirmation or disapprobation by Congress, not from any desire to restrain the entire liberty of that general but because I think it decent and my duty to make such reservation, and that I might otherwise be blamed as assuming a power not given me if I undertook to discharge absolutely a parole given to Congress, without any authority from them for so doing.

With great esteem and respect, &c.,

B. FRANKLIN.

I have received no answer from Mr. Laurens. The following is the paper mentioned in the above letter:

#### THE DISCHARGE OF LORD CORNWALLIS FROM HIS PAROLE.

The Congress having, by a resolution of the 14th of June last, empowered me to offer an exchange of General Burgoyne for the Honorable Henry Laurens, then a prisoner in the Tower of London, and whose liberty they much desire to obtain, which exchange, though proposed by me according to the said resolution, had not been accepted or executed when advice was received that General Burgoyne was exchanged in virtue of another agreement, and Mr. Laurens thereupon having proposed another lieutenant-general, viz, Lord Cornwallis, as an exchange for himself, promising that if set at liberty he would do his utmost to obtain a confirmation of



that proposal; and Mr. Laurens being soon after discharged, and having since urged me earnestly in several letters to join with him in absolving the parole of that general, which appears to be a thing just and equitable in itself; and for the honor therefore of our country I do hereby, as far as in my power lies, in virtue of the above resolution or otherwise, absolve and discharge the parole of Lord Cornwallis, given by him in Virginia, setting him at entire liberty to act in his civil or military capacity until the pleasure of Congress shall be known, to whom is reserved the confirmation or disapprobation of this discharge, in case they have made or shall intend to make a different disposition.

Given at Passy this 9th day of June, 1782.

B. FRANKLIN,  
*Minister Plenipotentiary from the United States  
 of America to the Court of France.*

I did not well comprehend the major's conduct in refusing this paper. He was come express from Loudon to solicit a discharge of Lord Cornwallis's parole. He had said that his lordship was very anxious to obtain that discharge, being unhappy in his present situation. One of his objections to it was that his lordship with such a limited discharge of his parole could not enter into foreign service. He declared it was not his lordship's intention to return to America. Yet he would not accept the paper, unless the reservation was omitted. I did not choose to make the alteration and so he left it, not well pleased with me.

This day, Tuesday, June 11, I was at Versailles, and had a good deal of conversation with M. de Rayneval, secretary to the council. I showed him the letters I had received by Mr. Oswald from Lord Shelburne, and related all the consequent conversation I had had with Mr. Grenville. We concluded that the reason of his couriers not being returned might be the formalities occasioning delay in passing the enabling bill. I went down with him to the cabinet of Count de Vergennes, where all was repeated and explained. That minister seemed now to be almost persuaded that the English court was sincere in its declarations of being desirous of peace. We spoke of all its attempts to separate us and of the prudence of our holding together and treating in concert. I made one remark, that as they had shown so strong a desire of disuniting us by large offers to each particular power, plainly in the view of dealing more advantageously with the rest, and had reluctantly agreed to make a general treaty, it was possible that after making a peace with all they might pick out one of us to make war with separately. Against such project I thought it would not be amiss, if, before the treaties of peace were signed, we who were at war against England should enter into another treaty, engaging ourselves that in such a case we should again make it a common cause and renew the general war, which he seemed to approve of. He read Lord Shelburne's letter relating to Mr. Walpole, said that gentleman had attempted to open a negotiation through the Marquis de Castries, who had told him he was come to the wrong house, and should go to Count de Vergennes; but he never had appeared; that he was an intriguer, knew many people about the court, and was accustomed to

manage his affairs by hidden and roundabout ways; but, said he, "when people have anything to propose that relates to my employment, I think they should come directly to me; my cabinet is the place where such affairs are to be treated." On the whole he seemed rather pleased that Mr. Walpole had not come to him, appearing not to like him.

I learnt that Mr. Jay had taken leave, on the 7th past, of the Spanish ministers, in order to come hither, so that he may be daily expected; but I hear nothing of Mr. Laurens or Mr. Adams.

WEDNESDAY, *June 12.*

I visited Mr. Oswald this morning. He said he had received the paper I had sent him, relating to the parole of Lord Cornwallis, and had, by conversing with Major Ross, convinced him of his error in refusing it; that he saw I had done everything that could be fairly desired of me, and said everything in the paper that could give a weight to the temporary discharge and tend to prevail with the Congress to confirm and complete it. Major Ross coming in made an apology for not having accepted it at first, declared his perfect satisfaction with it, and said he was sure Lord Cornwallis would be very sensible of the favor. He then mentioned the custom among military people, that in discharging the parole of a general that of his aids was discharged at the same time. I answered, I was a stranger to the customs of the army; that I had made the most of the authority I had for exchanging General Burgoyne by extending it as a foundation for the exchange of Lord Cornwallis, but that I had no shadow of authority for going further; that the Marquis de la Fayette, having been present when the parole was given and one of the generals who received it, was, I thought, more competent to the discharge of it than myself; and I could do nothing in it. He went then to the Marquis, who, in the afternoon, sent me the drafts of a limited discharge, which he should sign, but requested my approbation of it, of which I made no difficulty, though I observed he had put into it that it was by my advice. He appears very prudently cautious of doing anything that may seem assuming a power that he is not vested with.

FRIDAY, 14.

M. Boeris called again, wishing to know if Mr. Grenville's courier was returned and whether the treaty was like to go on. I could give him no information. He told me it was intended in Holland, in answer to the last Russian memorial, to say that they could not now enter into a particular treaty with England, that they thought it more glorious for her imperial majesty to be the mediatrix in a general treaty, and wished her to name the place. I said to him, as you tell me their high mightinesses are not well satisfied with Russia and had rather avoid her mediation, would it not be better to omit the proposition, at least

of her naming the place, especially as France, England, and America have already agreed to treat at Paris? He replied, it might be better, but, says he, we have no politicians among us. I advised him to write and get that omitted, as I understood it would be a week before the answer was concluded on. He did not seem to think his writing would be of much importance. I have observed that his colleague, M. Vanderpierre, has a greater opinion by far of his own influence and consequence.

SATURDAY, June 15.

Mr. Oswald came out to breakfast with me. We afterwards took a walk in the garden, when he told me that Mr. Grenville's courier returned last night. That he had received by him a letter from Mrs. Oswald, but not a line from the ministry, nor had he heard a word from them since his arrival, nor had he heard of any news brought by the courier. That he should have gone to see Mr. Grenville this morning, but he had omitted it, that gentleman being subject to morning headaches, which prevented his rising so early. I said I supposed he would go to Versailles, and call on me in his return. We had but little further discourse, having no new subject.

Mr. Oswald left me about noon, and soon after Mr. Grenville came, and acquainted me with the return of his courier, and that he had brought the full powers. That he, Mr. Grenville, had been at Versailles and left a copy with Count de Vergennes. That the instrument was in the same terms with the former, except that after the power to treat with the King of France, or his ministers, there was an addition of words, importing a power to treat with the ministers of any other prince or *state* whom it might concern. That Count de Vergennes had at first objected to these general words as not being particular enough, but said he would lay it before the king, and communicate it to the ministers of the belligerent powers, and that Mr. Grenville should hear from him on Monday. Mr. Grenville added that he had further informed Count de Vergennes of his being now instructed to make a proposition as a basis for the intended treaty, viz, the peace of 1763; that the proposition intended to be made under his first powers, not being then received, was now changed, and instead of proposing to allow the independence of America, on condition of England's being put into the situation she was in at the peace of 1763, he was now authorized to *declare the independence of America previous to the treaty* as a voluntary act, and to propose separately as a basis the treaty of 1763. This also Count de Vergennes undertook to lay before the king and communicate to me.

Mr. Grenville then said to me he hoped all difficulties were now removed and that we might proceed in the good work. I asked him if the enabling bill was passed. He said no; it passed the Commons, and had been once read in the House of Lords, but was not yet com-

pleted. I remarked that the usual time approached for the prorogation of Parliament, and possibly this business might be omitted. He said there was no danger of that; the Parliament would not rise this year till the middle of July; the India affairs had put back other business which must be done, and would require a prolongation of the session till that time. I then observed to him that, though we Americans considered ourselves as a distinct independent power or state, yet, as the British Government had always hitherto affected to consider us only as rebellious subjects and as the enabling act was not yet passed, I did not think it could be fairly supposed that his court intended, by the general words *any other prince or state*, to include a people whom they did not allow to be a state, and that, therefore, I doubted the sufficiency of his power as to treating with America, though it might be good as to Spain and Holland. He replied that he himself had no doubt of the sufficiency of his power and was willing to act upon it. I then desired to have a copy of the power, which he accordingly promised me.

He would have entered into conversation on the topic of reconciliation, but I chose still to waive it till I should find the negotiation more certainly commenced, and I showed him the London paper containing the article above transcribed, that he might see how our conversations were misrepresented, and how hazardous it must be for me to make any propositions of the kind at present. He seemed to treat the newspapers lightly, as of no consequence, but I observed that before he had finished the reading of the article he turned to the beginning of the paper to see the date, which made me suspect that he doubted whether it might not have taken its rise from some of his letters.

When he left me, I went to dine with M. de Chaumont, who had invited me to meet there Mr. Walpole, at his request. We shook hands, and he observed that it was near two years since we had seen each other. Then, stepping aside, he thanked me for having communicated to him Lord Shelburne's letter to Mr. Oswald;\* thought it odd that Mr. Oswald himself had not spoken to him about it; said he had received a letter from Mr. Fox upon the affair of St. Eustatia, in which there were some general words expressing a desire of peace; that he had mentioned this to the Marquis de Castries, who had referred him to Count de Vergennes, but he did not think it a sufficient authority for him to go to that minister. It was known that he had business with the minister of the marine on the other affair, and, therefore, his going to him was not taken notice of; but if he had gone to Count de Vergennes, minister of foreign affairs, it would have occasioned speculation and much discourse; that he had, therefore, avoided it till he should be authorized, and had written accordingly to Mr. Fox; but that in the meantime Mr. Oswald had been chosen upon the supposition that he, Mr. Walpole, and I were at variance. He spoke of Mr. Oswald as an odd kind of man, but that,

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\* See Introduction, § 200.

indeed, his nation were generally odd people, &c. We dined pleasantly together with the family, and parted agreeably, without entering into any particulars of the business. Count d'Estaing was at this dinner, and I met him again in the evening at Madame Brillon's. There is at present among the people much censure of Count de Grasse's conduct, and a general wish that Count d'Estaing had the command in America. I avoid meddling or even speaking on the subject, as improper for me, though I much esteem that commander.

## SUNDAY, 16.

I heard nothing from Versailles. I received a letter from Mr. Adams acquainting me he had drawn upon me for a quarter's salary, which he hoped would be the last, as he now found himself in the way of getting some money there, though not much. But he says not a word in answer to my late letters on public affairs, nor have I any line from Mr. Laurens, which I wonder at. I received also a letter from Mr. Carmichael, dated June 5, at Madrid. He speaks of Mr. Jay being on his journey, and supposes he would be with me before that letter, so that I may expect him daily. We have taken lodgings for him in Paris.

## MONDAY, 17.

I received a letter from Mr. Hodgson, acquainting me that the American prisoners at Portsmouth, to the number of three hundred, were all embarked on board the transports; that each had received twenty shillings' worth of necessaries at the expense of the government, and went on board in good humor; that contrary winds had prevented the transports arriving in time at Plymouth, but that the whole number there now of our people, amounting to seven hundred, with those arrived from Ireland, would soon be on their way home.

In the evening the Marquis de la Fayette came to see me, and said he had seen Count de Vergennes, who was satisfied with Mr. Grenville's powers. He asked me what I thought of them, and I told him what I had said to Mr. Grenville of their imperfection with respect to us. He agreed in opinion with me. I let him know that I proposed waiting on Count de Vergennes to morrow.

He said he had signed the paper relating to Major Ross's parole, and hoped Congress would not take it amiss, and added, that in conversation with the major, he had asked him why England was so backward to make propositions? We are afraid, says the major, of offering you more than you expect or desire. I find myself in some perplexity with regard to these two negociators. Mr. Oswald appears to have been the choice of Lord Shelburne, Mr. Grenville that of Mr. Secretary Fox. Lord Shelburne is said to have lately acquired much of the King's confidence. Mr. Fox calls himself the minister of the people, and it is certain that his popularity is lately much increased. Lord Shelburne seems to wish to have the management of the treaty, Mr. Fox seems to think, in his department. I hear that the understanding between these min-



isters is not quite perfect. Mr. Grenville is clever, and seems to feel reason as readily as Mr. Oswald, though not so ready to own it. Mr. Oswald appears quite plain and sincere; I sometimes a little doubt Mr. Grenville. Mr. Oswald, an old man, seems to have no desire but that of being useful in doing good. Mr. Grenville, a young man, naturally desirous of acquiring reputation, seems to aim at that of being an able negociator. Mr. Oswald does not solicit to have any share in the business, but, submitting the matter to Lord Shelburne and me, expresses only his willingness to serve if we think he may be useful, and is equally willing to be excused if we judge there is no occasion for him. Mr. Grenville seems to think the whole negociation committed to him, and to have no idea of Mr. Oswald's being concerned in it, and is, therefore, willing to extend the expressions in his commission so as to make them comprehend America, and this beyond what I think they will bear. I imagine we might, however, go on very well with either of them, though I rather should prefer Oswald; but I apprehend difficulties if they are both employed, especially if there is any misunderstanding between their principals. I must, however, write to Lord Shelburne, proposing something in consequence of his offer of vesting Mr. Oswald with any commission which that gentleman and I should think proper.

TUESDAY, 18.

I found myself much indisposed with a sudden and violent cold, attended with a feverishness and headache. I imagined it to be an effect of the influenza, a disorder now reigning in various parts of Europe. This prevented my going to Versailles.

THURSDAY, 20.

Weather excessively hot, and my disorder continues, but is lessened, the headache having left me. I am, however, not yet able to go to Versailles.

FRIDAY, 21.

I received the following note from the Marquis de la Fayette:

M. DE LA FAYETTE TO B. FRANKLIN.

VERSAILLES, *Thursday morning, June 20, 1782.*

MY DEAR SIR: Agreeably to your desire, I have waited upon the Count de Vergennes, and said to him what I had in command from your excellency. He intends taking the king's orders this morning, and expects he will be able to propose to Mr. Grenville a meeting for to-morrow, when he will have time to explain himself respecting France and her allies, that he may make an official communication both to the king and the allied ministers. What Count de Vergennes can make out of this conversation will be communicated by him to your excellency, in case you are able to come. In the other case I shall wait upon you to-morrow evening with every information I can collect.

I have the honor to be, very respectfully, &c.,

LA FAYETTE.



In the evening the Marquis called upon me, and acquainted me that Mr. Grenville had been with Count de Vergennes but could not inform me what had passed.

SATURDAY, 22.

Messrs. Oswald and Whiteford came and breakfasted with me. Mr. Oswald had received no letters of instructions. I told him I would write to Lord Shelburne respecting him, and call on him on Monday morning to breakfast, and show him what I proposed to write, that it might receive such alterations as he should judge proper.

SUNDAY, 23.

In the afternoon Mr. Jay arrived, to my great satisfaction. I proposed going with him the next morning to Versailles, and presenting him to M. de Vergennes. He informed me that the Spanish ministers had been much struck with the news from England, respecting the resolutions of Parliament to discontinue the war in America, &c., and that they had since been extremely civil to him, and, he understood, intended to send instructions to their ambassador at this court to make the long-talked-of treaty with him here.

MONDAY, 24.

Wrote a note of excuse to Mr. Oswald, promising to see him on Wednesday and went with Mr. Jay to Versailles. Count de Vergennes acquainted us that he had given to Mr. Grenville the answer to his propositions, who had immediately despatched it to his court. He read it to us, and I shall endeavor to obtain a copy of it. Count de Vergennes informing us that a frigate was about to be despatched for America, by which he might write, and that the courier who was to carry down the despatches would set out on Wednesday morning, we concluded to omit coming to court on Tuesday, in order to prepare our letters. Count de Vergennes appeared to have some doubts about the sincerity of the British court and the *bon foi* of Mr. Grenville, but said the return of Mr. Grenville's courier might give light. I wrote the following letters to Mr. Secretary Livingston and Mr. Morris.\*

WEDNESDAY, 26.

I sent away my letters and went to see Mr. Oswald. I showed him the draft of a letter to be addressed to him instead of Lord Shelburne, respecting the commission or public character he might hereafter be vested with; this draft was founded on Lord Shelburne's memorandums, which Mr. Oswald had shown to me, and this letter was intended to be communicated by him to Lord Shelburne. Mr. Oswald liked the mode, but rather chose that no mention should be made of his having shown me Lord Shelburne's memorandums, though he thought they were given

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\* See the letter to Mr. Livingston, *supra*, June 25, 1782; the letter to Mr. Morris is missing.

to him for that purpose. So I struck that part out, and new-modelled the letter, which I sent him, the next day, as follows :

TO RICHARD OSWALD.

PASSY, *June 27, 1782.*

SIR: The opinion I have of your candor, probity, and good understanding, and good will to both countries, made me hope you would have been vested with the character of plenipotentiary to treat with those from America. When Mr. Grenville produced his first commission, which was only to treat with France, I did imagine that the other to treat with us was reserved for you, and kept only till the enabling bill should be passed. Mr. Grenville has since received a second commission, which, as he informs me, has additional words, empowering him to treat with the ministers of any other *prince or s'tate* whom it may concern, and he seems to understand that those general words comprehend the United States of America. There may be no doubt that they may comprehend Spain and Holland, but as there exists various public acts by which the government of Britain denies us to be States, and none in which they acknowledge us to be such, it seems hardly clear that we could be intended at the time the commission was given, the *enabling act* not being then passed. So that though I can have no objection to Mr. Grenville, nor right to make it if I had any, yet as your long residence in America has given you a knowledge of that country, its people, circumstances, commerce, &c., which, added to your experience in business, may be useful to both sides in facilitating and expediting the negociation, I can not but hope that it is still intended to vest you with the character above mentioned, respecting the treaty with America, either separately or in conjunction with Mr. Grenville, as to the wisdom of your ministry may seem best. Be it as it may, I beg you would accept this line as a testimony of the sincere esteem and respect with which, &c., \*

B. FRANKLIN.

FRIDAY, *June 28.*

M. de Rayneval called upon me and acquainted me that the ministers had received intelligence from England, that besides the orders given to General Carleton to propose terms of reunion to America artful emissaries were sent over to go through the country and stir up the people to call on the Congress to accept those terms, they being similar to those settling with Ireland; that it would therefore be well for Mr. Jay and me to write and caution Congress against these practices. He said Count de Vergennes wished also to know what I had written respecting the negociation, as it would be well for us to hold pretty near the same language. I told him that I did not apprehend the least danger that such emissaries would meet with any success, or that the Congress would make any treaty with General Carleton. That I would, however, write as he desired; and Mr. Jay coming in, promised the same. He said the courier would go to-morrow. I accordingly wrote the following letter to Mr. Secretary Livingston.†

M. de Rayneval, who is secretary to the council of state, called again

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\* See *supra*, under date of June 26, 1782, for draft of letter of that date from Franklin to Oswald.

† See *supra*, June 29, 1782.

in the evening. I gave him copies of the three preceding letters to peruse and show to Count de Vergennes, to convince him that we held no underhand dealings here. I own I had, at the same time, another view in it, which was that they should see I had been ordered to demand further aids, and had forborne to make the demands, with my reasons, hoping that if they could possibly help us to more money they might be induced to do it.

I had never made any visit to Count d'Aranda, the Spanish ambassador, for reasons before mentioned. M. de Rayneval told Mr. Jay and me this morning that it would be well for us to wait on him, and he had authority to assure us we should be well received. We accordingly concluded to wait on his excellency the next morning.

SATURDAY, *June 29.*

We went together to the Spanish ambassador's, who received us with great civility and politeness. He spoke with Mr. Jay on the subject of the treaty they were to make together, and mentioned in general as a principle that the two powers should consider each other's conveniency, and accommodate and compensate each other as well as they could. That an exact compensation might perhaps not be possible, but should be approached as nearly as the nature of things would admit. Thus, says he, if there is a certain thing which would be convenient to each of us, but more convenient to one than to the other, it should be given to the one to whom it would be most convenient, and compensation made by giving another thing to the other for the same reason. I suppose he had in view something relating to boundaries or territories, because, he added, we will sit down together with maps in our hands, and, by that means, shall see our way more clearly. I learnt from him that the expedition against Providence had sailed, but no advice was yet received of its success. On our going out, he took pains himself to open the folding doors for us, which is a high compliment here; and told us he would return our visit (*rendre son devoir*), and then fix a day with us for dining with him. I dined with Mr. Jay and a company of Americans at his lodgings.

SUNDAY, *July 1.*

Mr. Grenville called on me.\*

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\* Dr. Franklin's journal closes here. His ill state of health seems to have been the cause of his discontinuing it. The narrative of the negociation is kept up, however, in the letters of Dr. Franklin, Mr. Jay, Mr. Adams, and Mr. Laurens.—SPARKS. See, also, 9 Sparks' Franklin, 349.

Franklin et al. to the Ambassador from Portugal.

JULY 1, 1782.

*To His Excellency the Viscount de Poutede Lima, Minister for the Affairs of the Kingdom of Portugal.*

SIR: The Congress of the United States of America have seen with concern in the publick newspapers an edict of the late King of Portugal dated at the Palace of Ajuda, the 4th of July, 1776, wherein the said States are spoken of in terms of contumely, and all ships belonging to their people then in the ports of Portugal are ordered to quit the same in eight days, and that for the future in all the ports of the Portuguese Dominions *no shelter* shall be given to any vessels loaden or in ballast coming from any of the ports of the said States; but on the contrary they are to be repelled from the said ports, and in the condition they entered, without giving them *the least succor of any kind whatsoever*. As a long friendship and commerce has subsisted between the Portuguese and the inhabitants of North America, whereby Portugal has been supplied with the most necessary commodities in exchange for her superfluities, and not the least injury has ever been committed or even attempted or imagined by America to that kingdom, the United States can not but be astonished to find not only their commerce rejected, but their navigators who may need a port when in distress refused the common rights of humanity, a conduct towards the said States not only unprecedented, but which we are confident will not be followed by any other power in Europe; all the rest having considered our difference with, and separation from, England, as a matter of which they were not constituted judges, and therefore have not undertaken to condemn either party without hearing or enquiry, but allow our ships of all kinds the same freedom of their ports as is allowed to those belonging to England and the same privileges of commerce. We, therefore, being ministers of the Congress of the said United States, have been charged by them to represent to your court their sincere desire to live in peace with all mankind, and particularly with your nation, which they have ever esteemed and respected; and that they hope your government in its wisdom will reconsider and revoke the said edict, and permit the continuance of the said friendly and commercial intercourse between your people and theirs which has ever been so advantageous to both. This representation we accordingly hereby make, and as an early stop to growing misunderstandings may have beneficial consequences to all concerned, we can not but hope for a favorable and speedy answer.

With great regards, we have the honor to be, &c.

Morris to Franklin.\*

OFFICE OF FINANCE, *July 1, 1782.*

SIR: I have deferred until this moment my answer to your letters of the 4th, 9th, and 30th of March, in expectation that I should have heard from you by the Marquis de la Fayette. A vessel now about to depart induces me to address you. I enclose an act of Congress, by which you are empowered to adjust the public accounts with the court of France. I wish this may be done, and the amount transmitted hither, that arrangements may be taken for ascertaining the times and the modes of payment. You will at the same time observe that it is determined to appoint a commissioner for liquidating and finally adjusting the accounts of the public servants of Congress in Europe.

The minister here, in a letter to me of the 25th of May last, gives the following state of moneys granted by France, viz:

These advances have been made at the following periods, and are payable with interest, according to the obligations and acknowledgments of Dr. Franklin:

In 1778 .....	3,000,000
1779 .....	1,000,000
1780 .....	4,000,000
1781 .....	10,000,000
<b>Total.....</b>	<b>18,000,000</b>
From thus sum must be deducted the gratuitous subsidy of last year ....	6,000,000
<b>Remains.....</b>	<b>12,000,000</b>
To this must be added—	
1st. The produce of the loan in Holland .....	10,000,000
2dly. The loan made by his majesty for the current year.....	6,000,000
<b>Capital of the debt due to his majesty by the United States.....</b>	<b>28,000,000</b>

I think it right to send you this statement, on which I will make a few observations. I could have wished that the whole of the moneys which the court have furnished us had been what the greater part is, *a loan*. I know that the United States will find no difficulty in making payment, and I take this opportunity to give *you* an assurance, which is not meant for the court, that I will endeavor to provide *even now* the means of repayment, by getting laws passed to take effect at a future period, or otherwise, as shall be most convenient and agreeable to all parties, after the amount is ascertained and the times of payment fixed. I wish it had all been a loan, because I do not think the weight of the debt would be so great as the weight of an obligation is generally found to be, and the latter is of all others what I would least wish to labor under, either in a public or private capacity. A still further reason with me is that there is less pain in soliciting the *aid* of a loan when there is no expectation that it is to be a gift.

Prompted by such reasons, I could be well content that the advances made previously to the year 1778 were, by some means or other, brought into this account. By Mr. Grand's accounts it appears that Messrs. Franklin, Deane, and Lee, on the 1st of January, 1777, paid him five hundred thousand livres; on the 28th of April, other five hundred thousand livres; on the 4th of June, one million of livres; on the 3d of July, five hundred thousand livres; and on the 10th of October, other five hundred thousand livres; amounting in the whole to three millions of livres. I suppose that these sums were received of private persons, in like manner with those supplies which were obtained through M. de Beaumarchais, and if so they will be payable in like manner with those supplies.

I have, in a former letter, estimated the yearly interest on loan-office certificates, payable in France, at two million livres; consequently, taking in the months intervening between September and March, the total amount from September the 10th, 1777, to March the 1st, 1782, may be stated at nine million livres, which is just one-half of the supplies granted for the years 1778, 1779, 1780, and 1781.

A resolution now before Congress will, I believe, direct that no more bills be drawn for this instant; but Mr. Grand, in his letter of the 4th of March, tells me he has paid six million two hundred and thirty-nine thousand one hundred and eighty-six livres, thirteen sols, and four deniers, in sixteen thousand eight hundred and nineteen bills, from the 11th of February, 1779, to the 28th of January, 1782. His accounts are now translating, and when that is completed I shall transmit them to the treasury, and I hope soon to have the accounts of the several loan officers in such a train of settlement that all these matters may finally be wound up.

Should the court grant six million livres more for the service of the current year, making twelve million livres in the whole, which to tell you the truth I do expect, then the sum total in five years will be forty million livres, or eight million annually. And when the occasion of this grant is considered, the magnitude of the object, and the derangement of our finances naturally to be expected in so great a revolution, I can not think this sum is by any means very extraordinary. I believe with you most perfectly in the good dispositions of the court, but I must request you to urge those dispositions into effect. I consider the six millions mentioned to me by the minister here, and afterwards in your letters, as being at my disposal. The taxes come in so slowly that I have been compelled and must continue to draw bills, but I shall avoid it as much as possible. In my letters of the 23d and 29th of May, of which I enclose copies, are contained my sentiments as to M. de Beaumarchais's demand. Indeed, if the sums paid to him and others for expenditures previous to the year 1778, and the amount of the interest money of which the principal was also expended at that time, be deducted, the remaining sum will be considerably less than thirty millions.



I must entreat of you, sir, that all the stores may be forwarded from Brest as soon as possible, and I shall hope that the court will take measures to afford you the necessary transports, so that they may come under proper convoy. As to the cargo of the ship *Marquis de la Fayette*, it is true that some of it has arrived here from neutral ports, but it is equally true that money was necessary to purchase it and that money is quite as scarce as any other article. If, however, all the cargo of that ship was like some which I procured, the taking of her has been no great loss, for the clothing was too small to go on men's backs. The goods from Holland we still most anxiously expect. Would to God that they never had been purchased. Mr. Gillou, however, is at length arrived, and I hope we shall have those matters in which he was concerned brought to some kind of settlement.

I have the honor to be, &c.,

ROBERT MORRIS.

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Morris to Hamilton.\*

OFFICE OF FINANCE, *July 2, 1782.*

SIR : I yesterday received your letter of the 17th of June, and am very happy to find that you have determined to accept the office I had the pleasure of offering to you.† I inclose the commission, instructions, &c., together with a bond for performance of the duties, which I must request you to fill up and execute with some sufficient surety, and transmit.

The complaint you make of the system of taxation in New York might, I believe, very justly be extended ; for, though it may be more defective in some than others, it is, I fear, very far from perfect in any. I had already heard that no part of the taxes were appropriated to continental purposes, but I expect that the legislature will, when they meet, make such appropriation, as well as lay new and I hope productive taxes, for the purposes of paying what may remain of their quota.

It gives me a singular pleasure to find that you have yourself pointed out one of the principal objects of your appointment. You will find that it is specified in the inclosure of the 15th of April. I do not conceive that any interview will be necessary, though I shall always be happy to see you when your leisure and convenience will admit. In the meantime, I must request you to exert your talents in forwarding with your legislature the views of Congress. Your former situation in the army, the present situation in that very army, your connections in the State, your perfect knowledge of men and measures, and the abilities which heaven has blest you with will give you a fine opportunity

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\* 6 Spark's Dip. Rev. Corr., 500.

† Receiver of the continental taxes for the State of New York.

to forward the public service, by convincing all who have claims on the justice of Congress that those claims exist only by that hard necessity which arises from the negligence of the States. When to this you shall superadd the conviction that, what remains of the war being only a war of finance, solid arrangements of finance must necessarily terminate favorably, not only to our hopes, but even to our wishes, then, sir, the Government will be disposed to lay and the people to bear these burdens which are necessary, and then the utility of your office and of the officer will be as manifest to others as at present to me.

I am, with respect, &c.,

ROBERT MORRIS.

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Franklin to Henry Laurens.\*

PASSY, *July 2, 1782.*

SIR: I received the letter you did me the honor of writing to me from Lyons the 24th past.

I wonder a little at Mr. ——— not acquainting you whether your name was in the commission or not. I begin to suspect, from various circumstances, that the British ministry, elated perhaps too much by the success of Admiral Rodney, are not in earnest to treat immediately, but rather wish delay. They seem to hope that further successes may enable them to treat more advantageously; or, as some suppose, that certain propositions to be made to Congress by General Carleton, may render a treaty here with us unnecessary. A little bad news, which it is possible they may yet receive from the same quarter, will contribute to set them right, and then we may enter seriously upon the treaty; otherwise I conjecture it may not take place till after another campaign. Mr. Jay is arrived here. Mr. Grenville and Mr. Oswald continue here. Mr. Oswald has yet received no commission; and that of Mr. Grenville does not very clearly comprehend us according to British ideas; therefore it requires explication. When I know more, you shall have further information.

Not having an immediate answer to what I wrote you, concerning the absolution of Lord Cornwallis's parole, and Major Ross coming over hither from him to press it, I gave him the discharge you desired. Enclosed I send you a copy. I hear it has proved satisfactory to him; I hope it will be so to you.

Believe me to be, with great esteem, &c.,

B. FRANKLIN.

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\* 2 Sparks' Dip. Rev. Corr., 346; 8 Bigelow's Franklin, 119.

## Livingston to Luzerne.\*

PHILADELPHIA, *July 3, 1782.*

SIR: The undersigned, Secretary of the United States for the Department of Foreign Affairs, has the honor to deliver the enclosed letter of congratulation on the birth of the dauphin, in the name and behalf of the governor, council, and representatives of the State of Rhode Island and Providence Plantations in general assembly convened, agreeably to the request of his excellency Governor Greene. The undersigned will do himself the honor to transmit to them any reply which the minister of France shall think it proper to make thereto.

ROBERT R. LIVINGSTON.

## Luzerne to Washington.†

[Translation.]

PHILADELPHIA, *July 3, 1782.*

SIR : I received a letter yesterday from Count de Rochambeau, dated on the 24th of last month, wherein he informs me that he had come to a determination to move on the 27th towards the head of the bay, where he will be at hand to take such measures as you may judge proper as soon as we receive news from Europe. He desires me to communicate this to your excellency till he can write you himself. As he does not go any distance from the bay, and as he will always be ready to turn off to the southward if necessary, I hope it will meet your approbation.

I wait his answer respecting the interview which you have proposed to him, and which I sincerely desire may take place here. It seems to me impossible that we should not have some news from France towards the middle of this month.

From the last intelligence from Europe up to the 1st of May we learn nothing important, except the general disposition of the Dutch to ally themselves with the United States. But it is probable that Mr. Adams will open the negociation by demanding the acknowledgment and guarantee of your independence, and this circumstance may prevent the conclusion of a treaty of commerce which seems to be the point that has most influence with the States-General. But as the inclination of the people seems absolutely towards the alliance I hope the difficulties will be successively got over.

I have the honor to be, &amp;c.,

LUZERNE.

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 190.

† 6 Sparks' Dip. Rev. Corr., 74.

Livingston to J. Adams.\*

PHILADELPHIA, *July 4, 1782.*

SIR: By every late advice from Holland we learn their disposition to enter into a treaty with us, and though we have no intelligence from you since the 11th of March, we still presume that you have ere this been received in your public character. No wise government, constituted as that of the United Provinces is, will venture long to oppose the wishes of the people. I am very solicitous to know how you have availed yourself of the opening this has afforded you.

If you have been unconditionally received it will give you more leisure to mature the plan of a subsequent treaty, which is too important in its consequences to be hurried. If possible it were to be wished that the heads of it, as proposed on either side, could be sent here and submitted to the judgment of Congress before anything was absolutely agreed. The independency to which each of the States is entitled renders great caution in all commercial engagements not provided for particularly by the confederation absolutely necessary, for which reason I should prefer definite articles to loose expressions of standing on the same ground with the most favored nations.

Our connection with the West Indies renders it proper to lay that trade as open to us as possible. Great benefit would result both to us and the Dutch from giving us one or two free ports in such of their colonies as raise sugars where we could exchange the produce of both countries and check that monopoly which other nations will endeavor to create at our expense. Nothing will encourage the growth of such colony or enable it to raise sugars to more advantage than the cheap and easy rates at which they would thereby receive the produce of this country.

I need not urge the propriety of availing yourself of your present situation to procure a loan. You may easily convince the government of the validity of the security which it is in the power of a growing country, as yet very little encumbered with debt, to give. That security will derive new force from our being a commercial people, with whom public credit is almost invariably preserved with the most scrupulous attention. And such is our present situation that a twentieth part of what Great Britain expends annually in her attempt to enslave us, would be more than sufficient to enable us to defeat all her attempts, and to place our affairs on the most respectable footing.

I see the people of the United Provinces are struck with the importance of forming a commercial connexion with us when ours with Britain is dissolved. Not only Congress, as appears by their public acts, but the whole body of the people, are strongly opposed to the least intercourse with Britain. This opposition would effectually prevent it, if in addition thereto, three or four large frigates, or two fifties,

could be stationed in the Delaware or Chesapeake so as to protect our commerce against the British frigates from New York. In such a case, a voyage to this country, and from thence to the Islands, where our flour and lumber command the highest price, either in money or produce, affords the fairest prospect to the European merchants of the most profitable returns. Tobacco and bills offer a more direct return to those whose capitals will not permit them to engage in the circuitous commerce I have mentioned.

This letter is hastily written, as the express that carries it is to go off this evening, and I have several others to write. I mention this that you may not consider any thing it contains as an instruction from Congress, to whom it has not been submitted.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Morris to Grand.\*

OFFICE OF FINANCE, *July 5, 1782.*

SIR: I have received your several favors of the 2d of February and 4th of March last, together with the accounts accompanying the latter. I am sorry to find the funds we have in Europe are so deeply anticipated. This circumstance introduces a degree of hesitancy and doubtfulness into my measures, which is alike disagreeable and pernicious. I hope, therefore, that all the old accounts will soon be wound up and finally closed, and then in future I shall possess a full view of what is in my power. With respect to any arrangements with the court of Spain, I incline to think that they will be necessary, for I persuade myself that money negotiations through Havana might be performed to equal if not greater advantage by private channels.

I am, sir, with respect and esteem, &c.,

ROBERT MORRIS.

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Morris to Fleury.\* .

OFFICE OF FINANCE, *July 5, 1782.*

SIR: I have received the letter which you did me the honor to write in February last. It gives me very particular pleasure to find that my operations are approved by a gentleman whose talents and situation conspire together in giving the means and the power of forming a proper judgment. I receive, sir, with so much greater satisfaction your promise to concur in promoting the success of my measures, as I persuade myself that a true Frenchman must deeply interest himself in the present American revolution.

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\* 6 Sparks' Dip. Rev. Corr., 501.

The indissoluble bands which unite our sovereigns have connected the success of that revolution with the glory of the king and the interests of his subjects. Being, therefore, alike prompted by that animated zeal and attachment to your prince which forms a beautiful trait in the French character, and by your own benevolence, you cannot but pursue the road which leads to the establishment of our independence. It is by these motives, sir, that you are assured of my confidence. I shall take the liberty to lay before you my arrangements as soon as they can be completed, in order that you may possess the views of my administration.

I have the honor to be, with perfect esteem and respect,

ROBERT MORRIS.

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J. Adams to Livingston.\*

THE HAGUE, *July*, 5, 1782.

SIR: I have the honor to enelose copies in Dutch and English of the negociation which I have entered into for a loan of money. My commission for borrowing money promises to ratify what I should do; and the money lenders require such a ratification, which Messrs. Willinks, Van Staphorsts, and De la Lande and Fynjè have engaged shall be transmitted. Authentic copies of the original contracts, in Dutch and English, are enclosed for the ratification of Congress, which I must entreat them to transmit forthwith by various opportunities, that we may be sure of receiving it in time, for I suppose the gentlemen will not think it safe for them to pay out any considerable sum of money until it arrives.

Although I was obliged to engage with them to open the loan for five millions of guilders, I don't expect we shall obtain that sum for a long time. If we get a million and a half by Christmas, it will be more than I expect. I shall not venture to dispose of any of this money except for relief of escaped prisoners, the payment of the bills heretofore drawn on Mr. Laurens, which are every day arriving, and a few other small and unavoidable demands, but leave it entire to the disposition of Congress, whom I must entreat not to draw until they receive information from the directors of the loan how much money they are sure of, and then to draw immediately upon them. These directors are three houses well esteemed in this Republic, Messrs. Wilhem and Jan Willinks, Nicholas and Jacob Van Staphorsts, and De la Lande and Fynjè.

I have made the contract upon as good terms as I could obtain—five per cent. interest. Two per cent. to the house, or rather to the society of houses; two per cent. to the undertakers; and half per cent. for

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., with verbal changes; 7 J. Adams' works, 599.



brokerage and other charges. This four and a half per cent. together with one per cent. for receiving and paying off the annual interest, is to include all the expenses of the loan of every sort. These are as moderate terms as any loan is done for. France gives at least as much and other Powers much more.

I must beg that the ratifications of the obligations may be transmitted immediately by the way of France, as well as Holland, by several opportunities. The form of ratification must be submitted to Congress; but would it not be sufficient to certify by the Secretary in Congress upon each of the copies enclosed, in English and Dutch, that they had been received and read in Congress, and thereupon resolved that the original instruments executed by me before the said notary be, and hereby are, ratified and confirmed?

The form of the obligation is such as was advised by the ablest lawyers and most experienced notaries, and is conformable to the usage when loans are made here for the seven Provinces. It is adapted to the taste of this country, and therefore lengthy and formal, but it signifies no more in substance than "that the money, being borrowed, must be paid."

I have the honor to be, &c.,

JOHN ADAMS.

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Livingston to Franklin.\*

PHILADELPHIA, *July 5, 1782.*

DEAR SIR: I have the honor to transmit to you a letter from the United States in Congress to his most Christian majesty, together with a copy for your perusal. I also enclose a resolution of Congress on the subject of Mr. Lee's demands, which you will see carried into effect.

Nothing of moment has occurred since I last wrote you. It is very long since we heard from Europe. We wait for your dispatches with some degree of impatience. I hope they will be sufficiently particular to answer our expectations.

I have the honor to be, sir,

ROBERT R. LIVINGSTON.

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J. Adams to Livingston.†

THE HAGUE, *July 5, 1782.*

SIR: Soon after my public reception by their high mightinesses, the body of merchants of the city of Schiedam were pleased to send a very respectable deputation from among their members to The Hague, to pay

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\*2 Sparks' Dip. Rev. Corr., 347.

† MSS. Dept. of State; 3 Sparks' Dip. Rev. Corr., 623, with omissions and verbal changes.

their respects to Congress and to me, as their representative, with a very polite invitation to a public entertainment in their city, to be made upon the occasion. As I had several other invitations from various places and provinces about the same time, and had too many affairs upon my hands to be able to accept of them, I prevailed upon all to excuse me, for such reasons as ought to be, and, I suppose were, satisfactory.

The deputies from Schiedam requested me to transmit from them to Congress the enclosed compliment, which I promised to do. I was so much affected with the zeal and ardor of these worthy gentlemen and their constituents, which, with many other things of a similar kind, convinced me that there is in this nation a strong affection for America, and a kind of religious veneration for her just cause.

I have the honor to be, &c.,

JOHN ADAMS.

[Translation.]

*Address of the merchants of the town of Schiedam, in Holland, to his excellency John Adams, after their high mightinesses the lords the states-general of the united provinces of the Netherlands had acknowledged the freedom and independency of the United States of North America, and admitted the said John Adams as minister plenipotentiary and envoy of the Congress of the said United States.*

If ever any circumstances were capable of recalling to the minds of the people of these provinces the most lively remembrance of the cruel situation to which their forefathers found themselves once reduced, under the oppressive yoke of Spanish tyranny, it was, no doubt, that terrible and critical moment when the Colonies of North America, groaning under the intolerable weight of the chains with which the boundless ambition of Great Britain had loaded them, were forced into a just and lawful war to recover the use and enjoyment of that liberty to which they were entitled by the sacred and unalienable laws of nature.

If ever the citizens of this republic have had an occasion to remember, with sentiments of the liveliest gratitude, the visible assistance and protection of a Being who, after having constantly supported them during the course of a long, bloody war which cost their ancestors eighty years' hard struggles and painful labors, deigned by the strength of His powerful arm to break the odious fetters under which we had so long groaned, and who, from that happy era to the present time, has constantly maintained us in the possession of our precious liberties; if ever the citizens of these provinces have been bound to remember those unspeakable favors of the Almighty, it was no doubt at that moment when haughty Britain began to feel the effects of divine indignation, and when the vengeance of Heaven defeated her sanguinary schemes; it was when treading under foot the sacred ties of blood and nature, and meditating the destruction of her own offspring, her arms were everywhere baffled in the most terrible and exemplary manner, her troops defeated, and her armies led into captivity and at last that haughty power, humbled by that Heaven which she had provoked, saw the sceptre which she had usurped fall from her enfeebled hands; and America, shaking off the cruel yoke which an unnatural step-mother had endeavored to impose forever upon her, thanked bounteous Heaven for her happy deliverance.

If ever the inhabitants of this country, and those of this city in particular, have had a just cause for joy, and good grounds to conceive the highest hopes of prosperity and happiness, it was undoubtedly at that so much wished-for moment, when, with a unanimous voice, the fathers of the country declared the United States of

America to be free and independent, and acknowledged your excellency as minister plenipotentiary and envoy of the illustrious Congress.

Impressed with the various sentiments of respect, joy, and gratitude, with which the unspeakable favors of the Almighty towards both countries must inspire every feeling and sensible mind; encouraged besides, by so many happy omens, the subscribers, in behalf of the merchants and inhabitants of this city, have the honor to congratulate your excellency as the representative of the illustrious American Congress, and to assure you, in the strongest terms, that if any event recorded in the annals of our country is capable of impressing us with the liveliest joy, and of opening to our minds the happiest prospect, it is that glorious and ever memorable day, when our august sovereigns, the lords states-general of the united provinces of the Netherlands, solemnly acknowledged the independence of the United States of America; a step which, under the pleasure of God, must become the foundation of an unalterable friendship, and the source of mutual prosperity to the two republics, whose union being cemented by interests henceforth common and inseparable, must forever subsist, and be constantly and religiously preserved by our latest posterity.

Allow us, then, ye deliverers of America, ye generous defenders of her infant liberties, to congratulate your illustrious envoy, and to express to him the liveliest satisfaction that we feel for an event which crowns the wishes of the nation. Accept also of the fervent prayers, which we address to Heaven, beseeching the Almighty to shower down His blessings on your republic and her allies.

Permit us also to recommend to you, in the strongest manner, the interests of our country, and of this city in particular. Let those of our citizens who have been the most zealous in promoting the acknowledgment of your independence enjoy always a particular share of your affection.

That among those who may follow our example, no one may ever succeed in detracting from the good faith and integrity of Holland, or causing the sincerity of our efforts to advance our mutual interests to be suspected, which are founded on the unalterable principles of pure virtue, and a religion common to both of us.

Permit us, in fine, that, faithful to ourselves, and attentive to whatever can interest our commerce, the only source of our prosperity, we may flatter ourselves that the produce of this flourishing city, our distilled liquors and other merchandize, may be freely imported to your States without any hinderance, or without being subjected to heavy duties; and may the protection with which you shall honor us, and the privileges that you shall grant us, rivet the bonds of our mutual friendship, and be to both nations the source of an unceasing prosperity.

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Livingston to Carmichael."

PHILADELPHIA, *July 6, 1782.*

SIR: Since my letter of May last I have been favored with yours of the 18th and 27th of February. As they contained many things of importance which we had received through no other channel, I communicated their contents to Congress, to whom I have reason to think they were very acceptable. The great changes that have taken place in the administration of Britain make us extremely desirous of learning minutely the measures they are pursuing. Unfortunately it is long since we have received any other information from Europe than that contained in the public prints. Our ministers abroad do not keep up such

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\* MSS. Dep. of State · 5 Sparks' Dip. Rev. Corr., 90, with verbal changes.

a communication with the seaports as to avail themselves of the opportunities that are almost weekly afforded, by which means the intelligence they transmit, if not of a private nature, is almost always forestalled.

We are at present in a state of absolute inactivity here. We are not sufficiently strong to attack the enemy in their works without some naval aid; nor can they attack us with any prospect of success. Congress employ the present leisure in forming and enforcing a system of finance which, notwithstanding all the difficulties it has to struggle with, will, I hope, shortly place our affairs on a more respectable footing, particularly if any of those powers who are interested in supporting us shall afford the aid we have a right to expect.

Among other changes that have taken place, there is one I believe you will be pleased with. In the payment of your salaries, which in future will be paid here upon my certificate, I, as your agent, will vest the money in bills and remit them to you or Dr. Franklin, with orders for him to remit the money to you or pay it to your order. This will render your payments more regular, and free you from the appearance of dependence, which must be disagreeable to you. I remit by this conveyance to him the amount of one quarter's salary, commencing the first of January last and ending the 1st of April, which I have vested in bills at the present rate of exchange, which is six shillings three pence this money for five livres, by which you gain almost five and a half per cent. You will be charged here two and a half per cent. premium, which is the usual commission, and I shall consider myself as your agent in this business unless you should choose to appoint some other. Your accounts for the next quarter will be made up immediately; the money vested in a bill upon Dr. Franklin, which I will remit him by the next opportunity. Send me a general state of your account, that I may get it settled for you, and the arrears, if any, discharged. I could wish much to have a cypher with you, but find it very difficult to send one. Let me have one, if you have a safe conveyance; if a favorable opportunity offers from here I will transmit you one.

I am, with great esteem and regard, &c.,

ROBERT R. LIVINGSTON.

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Livingston to Jay.\*

PHILADELPHIA, *July 6, 1782.*

DEAR SIR: Since my letter of the 23d ultimo, Congress have passed the enclosed resolution. My letter had already anticipated it, so that it will only serve to show that I was warranted in the observations I had made, and am sorry to add that my prediction that the troops taken

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\*MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 454.

by Spain would be sent to serve against us seems to be confirmed by an account received from Charleston of a number of soldiers taken in Pensacola, having been sent there. Could I suppose the court of Spain entirely regardless of our interests, I should presume that an attention to their own would keep them from affording such reinforcements to the British here as will enable them to detach to Jamaica or any other of their islands which Spain may have it in contemplation to reduce.

I am, therefore, fully persuaded that every measure of this kind must originate merely in the inattention of the officer, and that if mentioned to his majesty's ministers it will be prevented in future. You will therefore take the earliest opportunity to state it to them, and to show them the pernicious influence it will have, not only upon our measures, but upon those sentiments of friendship and affection which Congress wish the people of these States to entertain for a nation that is engaged in the same cause with them, and with whom a variety of considerations will lead them to maintain in future the most intimate connection.

I have remitted to Dr. Franklin the amount of one quarter's salary due to you, which I have vested in bills at six and three pence this money for five livres, which yields a profit to you of about five and a half per cent., and will be more than sufficient to pay the expense of commissions that this new mode of paying your salaries will subject you to. I have directed an account to be opened with you and will receive your directions, unless you shall think it proper to appoint some other agent. My secretary, Mr. Morris, will enclose a particular state of your account, exclusive of contingencies, an account of which I wish you to remit me, that I may get it discharged for you. The second quarter being now due, I shall get the accounts passed and the bills remitted by the next opportunity. You will be pleased to pay particular attention to the enclosed paper in ciphers, as it relates to a private transaction of some importance to both of us.

Let me hear from you on this subject as soon as possible.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Luzerne to Washington.\*

[Translation.]

PHILADELPHIA, *July 8, 1782.*

SIR: You will receive by M. de Vauban a letter from Count de Rochambeau, informing your excellency that he will be here on the 13th or 14th of this month. I hope for the honor of seeing you here by the 15th at farthest, and I felicitate myself that matters will concur to bring you here precisely at the time when I shall celebrate the birth of the

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\* 6 Sparks' Dip. Rev. Corr., 75.

dauphin. Your presence, and that of Mrs. Washington will render the festival complete, and I hope the gentlemen who compose your family will accompany you. I do not send any written invitations to them, nor to the generals and other officers of your army, but your excellency knows that nothing would be more agreeable to me than their participation in celebrating an event which is so interesting to us, and which I know is so to all our allies. Everybody whom your excellency may bring with you will be welcome.

I have the honor to be, &c.,

LUZERNE.

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Carmichael to Livingston.\*

No. 9.

ST. ILDEFONSO, *July 8, 1782.*

SIR: On the 5th and the 12th ultimo I did myself the honor of addressing you from Madrid. On the 2d instant I came to this place, having waited in the capital some days longer than I intended, for the purpose of arranging finally the public accounts with M. Cabarrus; but finding that that gentleman's occupations prevented him from stating them in the manner directed by Mr. Jay, and having by my stay, in compliance with his request, convinced him that the settlement and discharge of the balance still due depended on himself, I judged it proper to follow the court hither, in order to have frequent opportunities of pressing the minister to pay attention to the different memorials presented by Mr. Jay, of which copies have been transmitted by him to Congress, and to procure such information as it might be proper to lay before you. I did not strongly urge the settlement of the accounts above mentioned, because Dr. Franklin had requested Mr. Jay to give him as much time as possible for the payment of the sums due here, although I am persuaded the delay will be prejudicial, as it is probable the exchange will be more to our disadvantage every day.

On the 3d instant I waited on the Count de Florida Blanca and M. del Campo. I found the former in conference with the French ambassador, and as that had been long, and I knew he would be much fatigued, and also that he expected the Russian Minister and the ambassador of the emperor, who have of late received frequent couriers, I shortened my visit, which passed in amicable assurances on his part and hopes on mine that his excellency would put it in my power as much as it was in my inclination to contribute to a lasting harmony between the two countries; by enabling me to inform Congress of the favorable disposition of his majesty, and at the same time of the measures taken by his ministers to redress the grievances which Mr. Jay had so often laid

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 32, with verbal changes and omissions.



before him. He desired me to mention these affairs in detail to M. del Campo, and, after repeating assurances of good will, &c., he proceeded to inform me that he had received a copy of a letter which Mr. Jay, on his arrival at Paris, had written to the Count d'Aranda, adding, that he was sorry he could not continue the conversation at present, for that he expected the ministers above mentioned every moment, but that on the Saturday following he would be glad to see me, to talk over many matters necessary to discuss at this crisis. I took my leave, and actually met the imperial and Russian ministers at the door. With M. del Campo, whom I next went to see, I had a long conversation, the material points of which, after having reminded him of the memorials, &c., presented by Mr. Jay, turned on the manner in which the propositions of the new British administration would be received in America. I had the good fortune to answer, in the most decided manner, that all proposals for a separate treaty would be unanimously rejected, for on my return from this visit to my lodgings, I found Mr. Clouard, who delivered me the letter you did me the honor to write me the 1st of May, and who informed me of many of the subsequent transactions. The same day at dinner, the Count de Montmorin showed me a letter from the Chevalier de la Luzerne, in which he informs him that Congress had rejected the propositions made by General Carleton and that all the States would follow the example of Maryland. This conduct has a great and good effect in Europe. The same day the king spoke at table of this news, and praised greatly the probity of the Americans, raising his voice in such a manner that all the foreign ministers might hear him. I have conversed with several of these since, and find them unanimous in their opinion that the wisest measure Great Britain can take is to conclude a treaty acknowledging our independence.

The couriers received and the audiences demanded by the Russian and imperial representatives excited my attention, and I have discovered that they have been once more directed by their courts to make an offer of their mediation to his Catholic majesty. They made this communication on the 3d instant and have received their answer, for on the 6th the Count de Kaunitz despatched a courier. In my next I hope to communicate the answer of this court. I suspect England is at the bottom of this business. The combined fleet is at this time probably in the English Channel, where it will be reinforced by a division of French ships commanded by M. de la Motte Piquet. The preparations for the siege of Gibraltar are pushed with vigor. I have not yet had the honor to hear from Mr. Jay. My last letter from Dr. Franklin is dated the 11th ultimo. Messrs. Grenville and Oswald were then at Paris, but had not yet received their full powers. Neither had Spain nor Holland sent instructions to their ministers, so that the conferences could not properly be opened.

I have the honor to enclose a letter which I received the 4th instant

from M. Dumas. [The Princess of Asturias was delivered of an infant the 6th inst., which circumstance demanding the minister's attendance at court deprived me of the honor of seeing him.] The letters brought by Mr. Clouard for Mr. Jay were forwarded by the same gentleman. I remain without other information or instructions than what are contained in yours of the 1st of May. If Mr. Jay should be detained at Paris, I shall be here without any other information than what I may obtain by my private correspondence and my own industry. I beg leave to submit this to your consideration.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

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Morris to the Governor of Maryland.\*

OFFICE OF FINANCE, *July 9, 1782.*

SIR: I have not been until this moment favored with your letter in council of the 5th. I pray that you will accept and present to the council my sincere thanks for your attention to the public service. Your offer to pay for the transportation of clothing to the southern army gives me an additional reason to believe that a sense of the public distresses will always operate a desire to relieve them. To go into detail of those distresses is at all times dangerous, and indeed it would be impracticable, for they are so numerous that all my time would be insufficient for the purpose. The publications made by the receivers in the several States will, however, carry a conviction of them to every man of sense and reflection.

It is my constant endeavor to administer the little aid which is afforded to the best advantage, and I am in hourly apprehensions from the dilatoriness which has been shown by almost all the States in granting the supplies required by Congress. No proposition can be clearer than this, that the salvation of our country must depend upon such grants; and it will be a matter of wonder for future generations how a people who once showed such enthusiastic ardor should, at the moment when it is within their grasp, put everything to the hazard by omitting to make the little exertion that remains. Yet such is the fact.

I shall rely on receiving considerable supplies of money from Maryland in the course of the present month, and shall, in consequence, make engagements for transporting the clothing and stores to the southern army and for other services equally pressing and essential. That you will be obliged to sell the property of the State at less than you suppose it to be worth I had long foreseen and am thoroughly convinced of. That is one among the very many objections against raising specific taxes; but you may depend that the longer they are kept on

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\* 6 Sparks' Dip. Rev. Corr., 502.

hand the greater will be the loss. The people must be undeceived, and the sales of such property will have a tendency to produce that effect. They will at length, I hope, open their eyes and be convinced of a truth which all history and experience bear witness to, namely, that the true art of governing is to simplify the operations of government.

Permit me, sir, before I close this letter to press upon your consideration the state of public affairs. Every operation is at present supported by credit, and that credit has long hung but by a thread. Unless the States give speedy and effectual aid that thread must break. It would long since have broken and scenes of military pillage, waste, murmuring, extravagance, and confusion would again have been opened, if I had not for some time declined all expenditure except what was necessary merely to feed the army. If, under such circumstances, the enemy has made offensive operations, you may easily guess the consequences. Your State will, I hope, contribute amply to provide against them. Should anything happen the fault will not lie at the door of Congress or of their servants.

With perfect esteem and respect, &c.,

ROBERT MORRIS.

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**La Fayette to Franklin.\***

PARIS, *July 9, 1782.*

I have the honor to inform you, my dear sir, that Mr. Grenville's express is arrived this morning, by way of Ostend. The gentleman is gone to Versailles. I fancy he will wait upon you, and I will be much obliged to you to let me know what your opinion is. I am going to Saint Germain, but if any intelligence comes to hand I will communicate it as soon as possible.

I rest, respectfully and affectionately yours,

LA FAYETTE.

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**Franklin to La Fayette.†**

PASSY, *July 9, 1782.*

DEAR SIR: Mr. Grenville has been with me in his return from Versailles. He tells me that, Lord Buckingham being dead, Lord Shelburne is appointed first lord of the treasury, and that Mr. Fox has resigned; so that both the secretaryships are vacant; that his communication to Count de Vergennes was only that no change was thereby made in the dispositions of that court for peace, &c., and he expects another

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\* 2 Sparks' Dip. Rev. Corr., 347.

† 2 Spark's Dip. Rev. Corr., 347; 9 Spark's Frank., 360; 8 Bigelow's Franklin, 125.

courier with full instructions in a few days. As soon as I hear more I shall acquaint you with it.

I am ever, with great respect and affection, your most obedient, humble servant,

B. FRANKLIN.

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Morris to Lovell.\*

OFFICE OF FINANCE, *July 10, 1782.*

SIR: I have received your favors of the 24th and 27th of June. The conduct of the States is very alarming, and has given me much serious apprehension. A want of knowledge or of zeal among those who compose the several legislatures produces misfortunes which their constituents must feel, although they do not themselves appear to be aware of them. Had permanent funds been established on which to borrow money, in all human probability our credit would have been such as that a considerable part of every year's expenditure might have been obtained in that way. The advantages of such a measure are self-evident. If we supposed the States at war possessed of equal force and resources, the one of them enjoying credit, which the other wants, the efforts would be so unequal that the nation in credit might compel her antagonist to ask peace in a very short period.

In America we have disdained to profit by experience, and therefore are reduced to the sad necessity of bearing the whole burden of the war at the present moment, when least able to bear it. Still, however, I had hoped, by making anticipations on the taxes to lay a foundation for more extensive credit; and at length to recover that useful confidence which has been too carelessly squandered away. But in fixing the first stone of this useful edifice I am disappointed by finding that after taxes are laid, and in the moment when I expect to feel the benefits, the collection is postponed unto a future day. I shall not dwell longer on this disagreeable topic. I deeply feel and sincerely lament the consequences, which you may rely on it are far more pernicious even in the article of expense than any person is aware of; besides other things, which are of equal, and may perhaps, be of greater importance.

I find by examining the sums I have drawn on you for, that you can find no great difficulty in making the payments by sales of the bills. I would advise you, immediately on the receipt of this, to employ a good broker to sell all the bills you have, at a price to be fixed between you, leaving it optional in the party to pay either specie, bank notes, or my notes, and give from a week to a fortnight credit to good hands. The price will, I suppose, be high if sold in this manner, and you will doubtless obtain a preference in the sales over others. When you open this business it must be transacted speedily by letting your broker

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\* 6 Sparks' Dip. Rev. Corr., 500.

make the sales, and take the promissory notes from the parties. The effects of this plan will be as follows: people knowing that the notes are at a discount, will readily, I suppose, make purchases on such conditions; and if they do, you will thereby raise them to par, and command a considerable sum in specie, for I know there are very few now in your country, and therefore when they come to be bought up and looked for their value will rise; and I presume that taxation will then come in to aid their further circulation.

I am, sir, with great respect, &c.,

ROBERT MORRIS.

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Franklin to Hartley.\*

PASSY, *July* 10, 1782.

DEAR SIR: I received your favor of the 26th past by Mr. Young, and am indebted to you for some preceding. I do not know why the good work of peace goes on so slowly on your side. Some have imagined that your ministers, since Rodney's success, are desirous of trying fortune a little further before they conclude the war; others, that they have not a good understanding with each other. What I have just heard seems to countenance this opinion. It is said Mr. Fox has resigned. We are ready here, on the part of America, to enter into treaty with you in concurrence with our allies, and are disposed to be very reasonable; but if your *plenipotentiary*, notwithstanding that character, is upon every proposition obliged to send a courier and wait an answer, we shall not soon see the happy conclusion. It has been suspected, too, that you wait to hear the effect of some overtures, sent by General Carleton, for a separate peace in America. A vessel just arrived from Maryland brings us the unanimous resolutions of their assembly, for continuing the war at all hazards, rather than violate their faith with France. This is a sample of the success to be expected from such a measure, if it has really been taken, which I hardly believe.

There is, methinks, a point that has been too little considered in treaties; the means of making them durable. An honest peasant, from the mountains of Provence, brought me the other day a manuscript he had written on the subject, and which he could not procure permission to print. It appeared to me to have much good sense in it; and therefore I got some copies to be struck off for him to distribute where he may think fit. I send you one enclosed. This man aims at no profit from his pamphlet or his project, asks for nothing, expects nothing, and does not even desire to be known. He has acquired, he tells me, a fortune of near one hundred and fifty crowns a year (about eighteen pounds sterling), with which he is content. This you may imagine would not afford the expense of riding to Paris, so he came on foot;

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\*2 Sparks' Dip. Rev. Corr., 348; 9 Sparks' Franklin, 360; 8 Bigelow's Franklin 125.

such was his zeal for peace, and the hope of forwarding and securing it by communicating his ideas to great men here. His rustic and poor appearance has prevented his access to them, or his obtaining their attention; but he does not seem yet to be discouraged. I honor much the character of this *veritable philosophe*.

I thank you much for your letters of May the 1st, 13th, and 25th, with your proposed preliminaries. It is a pleasure to me to find our sentiments so concurring on points of importance; it makes discussions as unnecessary as they might between us be inconvenient.

I am, my dear sir, with great esteem and affection, yours ever,

B. FRANKLIN.

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Franklin to Vaughan.\*

PASSY, July 10, 1782.

SIR: By the original law of nations, war and extirpation were the punishment of injury. Humanizing by degrees, it admitted slavery instead of death. A further step was the exchange of prisoners instead of slavery. Another, to respect more the property of private persons under conquest and to be content with acquired dominion. Why should not the law of nations go on improving? Ages have intervened between its several steps, but, as knowledge of late increases rapidly, why should not those steps be quickened? Why should it not be agreed to as the future law of nations that in any war hereafter the following descriptions of men should be undisturbed, have the protection of both sides, and be permitted to follow their employments in surety, viz:

1. Cultivators of the earth, because they labor for the subsistence of mankind.

2. Fishermen, for the same reason.

3. Merchants and traders, in unarmed ships, who accommodate different nations by communicating and exchanging the necessaries and conveniences of life.

4. Artists and mechanics, inhabiting and working in open towns.

It is hardly necessary to add that the hospitals of enemies should not be molested; they ought to be assisted.

In short, I would have nobody fought with, but those who are paid for fighting. If obliged to take corn from the farmer, friend or enemy, I would pay him for it; the same for the fish or goods of the others.

This once established, that encouragement to war which arises from a spirit of rapine would be taken away, and peace therefore more likely to continue and be lasting.

B. FRANKLIN.



\* Franklin to Vaughan.

PASSY, *July 11, 1782.*

DEAR SIR: In mine of yesterday, which went by Mr. Young, I made no mention of yours of May 11th, it not being before me. I have just found it.

You speak of a "proposed dependent State of America, which you thought Mr. Oswald would begin with." As yet I have heard nothing of it. I have all along understood (perhaps I have understood more than was intended) that the point of dependence was given up and that we are to be treated with as a free people. I am not sure that Mr. Oswald has explicitly said so, but I know that Mr. Grenville has and that he was to make that declaration previous to the commencement of the treaty. It is now intimated to me from several quarters that Lord Shelburne's plan is to retain the sovereignty for the king, giving us otherwise an independent parliament and a government similar to that of late intended for Ireland. If this be really his project, our negotiation for peace will not go very far. The thing is impracticable and impossible, being inconsistent with the faith we have pledged, to say nothing of the general disposition of our people. Upon the whole, I should believe that, though Lord Shelburne might formerly have entertained such an idea, he had probably dropped it before he sent Mr. Oswald here; your words above cited do, however, throw a little doubt in my mind, and have, with the intimations of others, made me less free in communication with his lordship, whom I much esteem and honor, than I should otherwise have been. I wish, therefore, you would afford me what you can of *éclaircissement*.

This letter, going by a courier, will probably get to hand long before the one preceding in date, which went by Mr. Young, who travels on foot. I therefore enclose the copy of it, which was taken in the press. You may return it to me when the other arrives.

By the return of the courier, you may oblige me by communicating what is fairly communicable of the history of Mr. Fox's and Lord J. Cavendish's resignation, with any other changes made or likely to be made.

With sincere esteem, I am ever, my dear friend, yours, most affectionately,

B. FRANKLIN.

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\* 2 Sparks' Dip. Rev. Corr., 350; 9 Sparks' Franklin, 362; 8 Bigelow's Franklin, 137.

Franklin to Oswald.\*

PASSY, *July 12, 1782.*

SIR: I enclose a letter for Lord Shelburne, to go by your courier, with some others, of which I request his care. They may be put into the penny post. I have received a note informing me "that some opposition given by his lordship to Mr. Fox's decided *plan of unequivocally acknowledging American independence* was one cause of that gentleman's resignation;" this, from what you have told me, appears improbable. It is further said "that Mr. Grenville thinks Mr. Fox's resignation will be fatal to the present negociation." This perhaps is as groundless as the former. Mr. Grenville's next courier will probably clear up matters. I did understand from him that such an acknowledgment was intended previous to the commencement of the treaty; until it is made and the treaty formally begun, propositions and discussions seem in consideration to be untimely; nor can I enter into particulars without Mr. Jay, who is now ill with the influenza. My letter, therefore, to his lordship is merely complimentary on his late appointment. I wish a continuance of your health in that at present sickly city, being with sincere esteem, sir,

Your most obedient and most humble servant,

B. FRANKLIN.

P. S.—I send you enclosed the late resolutions of the State of Maryland, by which the general disposition of people in America may be guessed respecting any treaty to be proposed by General Carleton, if intended, which I do not believe.

Franklin to Shelburne.†

PASSY, *July 12, 1782.*

MY LORD: Mr. Oswald informing me that he is about to despatch a courier, I embrace the opportunity of congratulating your lordship on your appointment to the treasury. It is an extension of your power to do good, and in that view, if in no other, it must increase your happiness, which I heartily wish.

Being with great and sincere respect, my lord, your lordship's most obedient and most humble servant,

B. FRANKLIN.

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\* 2 Sparks' Dip. Rev. Corr., 351; 9 Sparks' Franklin, 365; 8 Bigelow's Franklin, 130.

† 2 Sparks' Dip. Rev. Corr., 352; 9 Sparks' Franklin, 366; 8 Bigelow's Franklin, 131.

## Franklin to Vergennes.\*

PASSY, *July* 18, 1782.

SIR : I received the letter your excellency did me the honor of writing to me this day, enclosing a memorial, which relates to the interests of some subjects of the emperor, residing at Ostend, who allege that a ship of theirs has been taken by an American privateer, and carried into Boston, on pretense that the property was English, &c. I shall immediately transmit the memorial to Congress, as desired. But, there being courts of admiralty established in each of the United States, I conceive that the regular steps to be taken by the complainants would be an application for justice to those courts by some person on the spot, duly authorized by them as their agent, and, in case the judgment of the court is not satisfactory, that then they appeal to the Congress, which can not well take cognizance of such matters in the first instance. The merchants of Ostend may possibly not have as yet correspondents established in all the States; but any merchant of credit in the country would transact such business on receiving their request with the proper power of attorney; or if his imperial majesty should think fit to appoint a consul-general to reside in those States, such an officer might at all times assist his compatriots with his counsels and protection in any affairs that they might have in that country. I am the more particular in mentioning this to your excellency, because I apprehend these cases may hereafter be frequent, and, if the complaints are to be addressed to you and me, we are likely to have a great deal of trouble, as I am informed that it has become a daily practice for outward bound English ships to put into Ostend, and make a formal pretended sale of ship and cargo to a merchant of the place, who furnishes imperial papers for the voyage under his own name, and receives a certain sum per cent. for the operation.

This is said to be a branch of great profit to the Flemish merchants and that a very great number of English ships are now at sea with such papers, and I suspect, even from their own manner of stating the transaction, that the ship and cargo reclaimed by the complainants are of that kind. This seems to me an abuse of the neutrality, as these fictitious profits are added to the advantage of real carriage for the belligerent nations, they make it too much the interest of neutral neighbors to foment wars and obstruct peace that such profits may continue; and if it is to be understood as a settled point that such papers are to protect English property, the fitters-out of privateers from France, Spain, Holland, and America will in another year be all ruined, for they will find none but Flemish ships upon the ocean.

With the greatest respect, &c.,

B. FRANKLIN.†

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\* 9 Sparks' Franklin, 368; 8 Bigelow's Franklin, 132.

† See note to 8 Bigelow's Franklin, 132,

Livingston to William Lee.\*

PHILADELPHIA, *July 18, 1782.*

SIR: I have the honor to enclose a resolution of Congress directing Dr. Franklin to discharge the balance of your account against the United States. I have written to him upon the subject, and doubt not that the money will be paid immediately upon your application.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Carmichael to R. Livingston.†

No. 10.

ST. ILDEFONSO, *July 22, 1782.*

SIR: In my last of the 8th instant, I had the honor to inform you of an offer of mediation renewed to this court by those of Petersburg and Vienna. I have since been told that the Count de Florida Blanca's answer was to the following purport: "That his catholic majesty is highly sensible of the offers made by their imperial majesties to promote the establishment of the public tranquillity, but that, before accepting their propositions, it is necessary to consult his ally, and for this purpose instructions will be sent to his ambassador at Paris, who, in order to prevent delay, will at the same time be authorized to communicate the answer to the Russian and imperial ministers at the court of Versailles." I had this information from a person connected with the ambassador of the court of Vienna. [I was told at the same time that last month the court of London had instructed its ministers at Vienna and Petersburg to demand whether those courts would have any objections to admit at the proposed Congress ministers from the United States of America. I have reason to believe that Russia made less difficulty on this point than the court of Vienna; a proof, perhaps, that the former is more sincere in its desire to terminate the war than the latter.]‡

The emperor is full of the project of removing his East India Company from Trieste to Ostend, and of augmenting the commerce of his subjects, particularly in the Low Countries. The continuation of the war is favorable to his designs, at all events he will seek his own advantage in the proposed mediation.

All the neutral courts seem desirous of procuring stipulations favor-

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 190.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 94, with verbal changes and omissions.

‡ Passage in brackets omitted in Sparks' ed.

able to their commerce and navigation, particularly in the Mediterranean, and for this purpose all appear to wish a general Congress. Perhaps, upon the whole, it would be more for the honor and permanent advantage of the United States to have their independence acknowledged and guarantied in an assembly of this nature, than by particular treaty between the belligerent powers. As Mr. Jay is to negotiate with the Count d'Aranda at Paris the proposed treaty, my business here is confined to the arrangement of the public accounts; and the payment of the bills still due, the collecting intelligence, and the solicitation of redress of the various complaints laid before the ministry in behalf of individuals. For this last purpose, I wait on the Count de Florida Blanca and M. del Campo from time to time, and in a respectful manner solicit their attention to these affairs. Personally, I have no reason to complain; in my political character I should have more, if I did not know that the first powers in Europe are treated with the same inattention and delay. I mention this, not to excuse the conduct of this court, but to convince you that it is not singular with respect to us. I have in some instances promises of redress, and it is to be hoped that circumstances, patience, and good humor will terminate these affairs to the satisfaction, in some measure, of the parties interested.

While Mr. Jay remains at Paris, as the public despatches are addressed to him, I shall be deprived of intelligence from America, except what I may acquire by private correspondence from thence. I have not had the honor to hear from Mr. Jay since he left this place, which may have been occasioned by delay or ill health on the road and afterwards. I have no correspondence with Messrs. Adams and Dana, from whom I might receive, and to whom I might communicate hints that might contribute to the public interest. Messrs. Grenville and Oswald are still at Paris; but on this subject you will have from others much more accurate information than it is in my power to give you.

The Count d'Artois is expected here to-morrow, and will be received and treated as an infant of Spain. This visit is highly pleasing to the royal family. He is expected with impatience. Nothing worth your notice has yet passed at Gibraltar. The besiegers and the besieged equally prepare the one for the attack, the other for the defence of the place. A courier extraordinary from France brings advice of the capture of eighteen transports and merchantmen bound to Quebec and Newfoundland. Unhappily the New York fleet, which sailed with the vessels captured, had two or three days before separated from them. A fifty-gun ship and a frigate, which escorted them, escaped. I have not yet received M. Cabarrus's accounts. When these are once delivered and settled, I shall take the earliest opportunity of transmitting to Congress and to Mr. Jay copies of all the public accounts in this country. I entreat your indulgence and frequent remembrance of me.

I have the honor to be, &c.,

WILLIAM CARMICHAEL

## Franklin to La Fayette.\*

PASSY, *July 24, 1782.*

DEAR SIR: In answer to your questions, Mr. Oswald is doing nothing, having neither powers nor instructions; and being tired of doing nothing has despatched a courier requesting leave to return. He has, I believe, received no letters since I saw you, from Lord Shelburne. Mr. Grenville's return hither is, I think, doubtful, as he was particularly connected in friendship with Mr. Fox; but if he stays, I suppose some other will be sent, for I do not yet see sufficient reason to think they would abandon the negociation, though, from appearances, I imagine they are more intent upon dividing us, than upon making a general peace. I have heard nothing further from Mr. Laurens, nor received any paper from him respecting Lord Cornwallis. And since that general's letter, written after the battle of Camden, and ordering not only the confiscation of rebels' estates, but the hanging of prisoners, has been made public, I should not wonder if the Congress were to disallow our absolution of his parole, and call him to America.

With everlasting esteem and respect, I am, dear sir, yours most affectionately,

B. FRANKLIN.

## Franklin to Vergennes.†

PASSY, *July 24, 1782.*

SIR: Enclosed I have the honor of sending to your excellency extracts from two despatches of the British ministry (one of them to the commissioners for restoring peace in America) which are communicated to me by order of Lord Shelburne, expressly for the purpose of restoring confidence between him and me. Your excellency will judge how proper they are for such a purpose, when the first is evidently calculated to create division, not only between France and us, but among ourselves; and the second is contradictory respecting a principal point in the independence. I am, etc.,

B. FRANKLIN.‡

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\* 2 Sparks' Dip. Rev. Corr., 352; 9 Sparks' Franklin, 370; 8 Bigelow's Franklin, 135.

† 8 Bigelow's Franklin, 135.

‡ See Vergennes' reply, *infra.*, July 28, 1782.



George III's warrant for Richard Oswald's first commission for negotiating peace.\*

JULY 25, 1782.

GEORGE R: Our will and pleasure is, and we hereby authorize and command you forthwith to prepare a bill for our signature, to pass our great seal of Great Britain, in the words or to the effect following, viz.:

George the Third, by the grace of God king of Great Britain, France, and Ireland, defender of the faith, and so forth. To our trusty and well-beloved Richard Oswald, of our city of London, esquire, greeting. Whereas, by virtue of an act passed in the last session of parliament, entitled "An act to enable his majesty to conclude a peace or truce with certain colonies in North America therein mentioned," it is recited "that it is essential to the interest, welfare and prosperity of Great Britain and the colonies or plantations of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in North America, that peace, intercourse, trade, and commerce should be restored between them." Therefore, and for a full manifestation of our most earnest wish and desire, and that of our Parliament, to put an end to the calamities of war, it is enacted that it should and might be lawful for us to treat, consult of, agree, and conclude, with any commissioner or commissioners named or to be named by the said colonies or plantations, or with any body or bodies, corporate or politic, or any assembly or assemblies, or description of men, or any person or persons whatsoever, a peace or truce with the said colonies or plantations, or any of them, or any part or parts thereof, any law, act or acts of Parliament, matter or thing, to the contrary in any wise notwithstanding.

Now know ye that we, reposing special trust in your wisdom, loyalty, diligence, and circumspection in the management of the affairs to be hereby committed to your charge, have nominated and appointed, constituted and assigned, and by these presents do nominate and appoint, constitute and assign, you, the said Richard Oswald, to be our commissioner in that behalf, to use and exercise all and every the powers and authorities hereby entrusted and committed to you, the said Richard Oswald, and to do, perform, and execute all other matters and things hereby enjoined and committed to your care, during our will and pleasure, and no longer, according to the tenor of these our letters patent. And it is our royal will and pleasure, and we hereby authorise, empower, and require you, the said Richard Oswald, to treat, consult, and conclude, with any *commissioner or commissioners, named or to be named by the said colonies or plantations, and any body or bodies, corporate or politic, assembly or assemblies, or descriptions of men, or person or persons whatsoever, a peace or truce with the said colonies or plantations, or any*

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 443.

*of them, or any part or parts thereof;*\* any law, act, or acts of Parliament, matter or thing, to the contrary notwithstanding.

And it is our further will and pleasure that every regulation, provision, matter or thing, which shall have been agreed upon between you, the said Richard Oswald, and such *commissioner or commissioners, body or bodies, corporate or politic, assembly or assemblies, descriptions of men, person or persons as aforesaid*, with whom you shall have judged meet and sufficient to enter into such agreement, shall be fully and distinctly set forth in writing, and authenticated by your hand and seal on one side, and *by such seal or other signatures on the other as the occasion may require, and as may be suitable to the character and authority of the commissioner or commissioners, &c., as aforesaid so agreeing*, and such instruments so authenticated shall be by you transmitted to us through one of our principal secretaries of State.

And it is our further will and pleasure that you, the said Richard Oswald, shall promise and engage for us, and in our royal name and word, that every regulation, provision, matter or thing, which may be agreed to and concluded by you, our said commissioner, shall be ratified and confirmed by us in the fullest manner and extent, and that we will not suffer them to be violated or counteracted, either in whole or in part, by any person whatsoever. And we hereby require and command all our officers, civil and military, and all others our loving subjects whatever, to be aiding and assisting unto you, the said Richard Oswald, in the execution of this our commission, and of the powers and authorities herein contained; provided always, and we hereby declare and ordain, that the several offices, powers, and authorities hereby granted shall cease, determine, and become utterly null and void on the first day of July, which shall be in the year of our Lord one thousand seven hundred and eighty-three, although we shall not otherwise in the meantime have revoked and determined the same, in witness, &c. And for so doing this shall be your warrant.

Given at our Court of St. James the twenty-fifth day of July, one thousand seven hundred and eighty-two,† in the twenty-second year of our reign.

THOMAS TOWNSEND.

By his majesty's command.

To our ATTORNEY OR SOLICITOR-GENERAL.

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\* The parts of this commission which were objected to by the American commissioners are printed in italics.—SPARKS.

† This commission was signed by the king on the 7th of August.

## Hartley to Franklin.\*

LONDON, *July 26, 1782.*

My DEAR FRIEND: You will have heard before you receive this that Mr. Thomas Townshend is appointed Secretary of State for that department to which the American correspondence belongs. He is, and has been for many years, one of my most intimate friends. A more honorable and honest man does not exist. I have been requested, in connexion with him, to undertake one branch of his office relating to America, as instrumental to some necessary arrangements in the course of a negociation for peace with America. The point which I have been requested to undertake is the case, or rather the diversity of cases, of the American refugees. I understand that in the progress of this business I shall be referred to a correspondence with you, as matter may arise. My purpose therefore for the present is only to advertise you of this in case you should have any preliminary matter to give or receive elucidation upon. I am very ready to undertake any matter which may be necessary or instrumental towards peace, especially in connexion with my worthy friend Mr. Townshend.

You know all my principles upon American pacification, and *sweet reconciliation*. I shall always remain in the same. But the delegation of a single point to me, such as the case of the refugees, does not entitle me to advise upon the great outlines or principles of such pacific negotiations. I shall retain my full reservation in such points as events may justify. My personal motive for saying this to you is obvious. But, in point of justice to those who have at present the direction of public measures in this country, I must request that this caution of mine may be accepted only as personal to myself, and not as inferential upon the conduct of others, where I am not a party. Having taken a zealous part in the principles and negotiations of peace I wish to stand clear from any collateral constructions which might affect myself, and at the same time not to impose any collateral or inferential constructions upon others.

God prosper the work of peace and *good will* (as the means of peace) among men.

I am ever your affectionate friend,

D. HARTLEY.

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 Grantham to Franklin.†
WHITEHALL, *July 26, 1782.*

SIR: As the first object of my wishes is to contribute to the establishment of an honorable and lasting peace, I address myself to you without ceremony, upon the conviction that you agree with me in this prin-

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 \* 2 Sparks' Dip. Rev. Corr., 353.

† 2 Sparks' Dip. Rev. Corr., 354.

ciple. If I was not convinced that it was also the real system of the ministers of this country, I should not now be coöperating with them. The step they had already taken in sending Mr. Grenville to Paris is a proof of their intentions, and as that gentleman does not return to his station there, I trust that the immediate appointment of a person to succeed him will testify my agreement to the principles upon which he was employed. I therefore beg leave to recommend Mr. Fitzherbert to your acquaintance, who has the king's commands to repair to Paris.

As I have not the advantage of being known to you, I can claim no pretense for my application to you but my public situation, and my desire to merit your confidence upon a subject of so much importance as a pacification between the parties engaged in a calamitous war.

I have the honor to be, with great regard, sir, your most obedient, humble servant,

GRANTHAM.

Shelburne to Franklin.\*

SHELburne HOUSE, *July 27, 1782.*

SIR: I am much obliged by the honor of your letter of the 12th instant. You do me most acceptable justice, in supposing my happiness intimately connected with that of mankind, and I can with truth assure you it will give me great satisfaction, in every situation, to merit the continuance of your good opinion.

I have the honor to be, with very sincere regard and esteem, dear sir, your most obedient and most humble servant,

SHELburne.

Vergennes to Franklin.†

VERSAILLES, *July 28, 1782.*

SIR: I have received the letter which you did me the honor to write on the 24th inst., and the two papers sent at the same time. The contradictions which these contain are worthy of remark. Not only they destroy each the effect of the other, but they are both in manifest opposition to the ministerial declarations made by Mr. Grenville.

It appears that Lord Shelburne has more in view to produce a division between the king and the United States than to promote a just and durable peace; but we must believe that he cannot long avoid being convinced that his plan is essentially a mistaken one, and that there is no time to be lost in changing it, if peace is the object for which he is solicitous.

\* 2 Sparks' Dip. Rev. Corr., 354.

† 8 Bigelow's Franklin, 136; 9 Sparks' Franklin, 373.

As to the king, sir, good faith and the fidelity which he owes to his allies will be the invariable guides of his conduct, for justice and moderation will ever lie at the foundation of the system of pacific measures adopted by his majesty. If the English ministers are disposed to act in obedience to these principles, they can easily succeed in restoring peace upon reasonable conditions; but if they continue constantly changing their views and measures, if they desire intrigue rather than serious negotiation, they run the risk of committing themselves gratuitously, and of voluntarily prolonging the calamities of war.

It is to Lord Shelburne, however, who now has the direction of affairs in England, that it properly belongs to make these reflections. We can only hope that they may not escape his sagacity, and wait until that minister informs us in what manner he intends to pursue the negotiation begun with Mr. Grenville, or to follow up the answers lately given by the English ministry to the courts of Vienna and St. Petersburg.

I have, etc.,

DE VERGENNES.\*

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Franklin to Oswald.†

PASSY, *July 28, 1782.*

SIR: I have but this moment had an opportunity, by the departure of my company, of perusing the letters you put into my hands this afternoon, and I return them directly without waiting till our interview tomorrow morning, because I would not give a moment's delay to the delivery of those directed to other persons.

The situation of Captain Asgill and his family afflicts me, but I do not see what can be done by any one here to relieve them. It can not be supposed that General Washington has the least desire of taking the life of that gentleman. His aim is to obtain the punishment of a deliberate murder, committed on a prisoner in cold blood by Captain Lippincott. If the English refuse to deliver up or punish this murderer, it is saying that they choose to preserve him rather than Captain Asgill. It seems to me, therefore, that the application should be made to the English ministers for positive orders directing General Carleton to deliver up Lippincott, which orders being obtained should be despatched immediately by a swift-sailing vessel. I do not think any other means can produce the effect desired. The cruel murders of this kind, committed by the English on our people since the commencement of the war, are innumerable. The Congress and their generals, to satisfy the people, have often threatened retaliation, but have always hitherto for-

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\* This is in reply to Franklin to Vergennes, July 24, 1782, *supra*.

† MSS. Dep. of State, 2 Sparks' Dip. Rev. Corr., 355; 9 Sparks' Franklin, 375; 8 Bigelow's Franklin, 137.

borne to execute it, and they have been often insultingly told by their enemies that this forbearance did not proceed from humanity but fear. General Greene, though he solemnly and publicly promised it in a proclamation, never made any retaliation for the murder of Colonel Haynes and many others in Carolina, and the people, who now think if he had fulfilled his promise this crime would not have been committed, clamor so loudly that I doubt General Washington can not well refuse what appears to them so just and necessary for their common security. I am persuaded that nothing I could say to him on the occasion would have the least effect in changing his determination.

Excuse me, then, if I presume to advise the despatching a courier immediately to London, proposing to the consideration of ministers the sending such orders to General Carleton directly. They would have an excellent effect in other views. The post goes to-morrow morning at ten o'clock, but as nine days have been spent in bringing the letters here by that conveyance an express is preferable.

With sincere esteem, I have the honor to be, &c.,

B. FRANKLIN.

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Morris to the Governor of Maryland.\*

OFFICE OF FINANCE, *July 29, 1782.*

SIR: I have now before me your two favors of the 12th instant. You will find my answers as well in a former letter as in the enclosed circular. For what remains I must only declare to you my regret at finding your prospects so gloomy. The idea that taxes cannot be raised because of the want of specie is very general, indeed it is almost universal, and yet nothing can be more ill founded. If the people be put in the necessity of procuring specie they will procure it. They can if they will. Tobacco may not sell at one moment, grain at another, or cattle at a third; but there are some articles, such as horses, which will sell at all times. The mischief is that when a purchaser offers the party, not being under a necessity of selling, insists on a higher price than the other can afford to give. Thus the commerce is turned away to another quarter. Nothing but the necessity of getting money will bring men in general to lower their prices. When this is done purchasers will offer in abundance, and thus it will be found that the tax instead of lessening will increase the quantity of specie. But so long as the want of it can be pleaded successfully against taxes so long that want will continue. And then all that remains to consider is whether the army can be maintained by such a plea. The States, sir, must give money or the army must disband.

I have the honor to be, &c.,

ROBERT MORRIS.



**Morris to the President of Congress.\***OFFICE OF FINANCE, *July 29, 1782.*

SIR: The reference which Congress were pleased to make of a remonstrance and petition from Blair McClenaghan and others has induced me to pray their indulgence while I go somewhat at large into the subject of that remonstrance.

The propriety and utility of public loans have been subjects of much controversy. Those who find themselves saddled with the debts of a preceding generation naturally exclaim against loans; and it must be confessed that when such debts are accumulated by negligence, folly, or profusion, the complaint is well founded. But it would be equally so against taxes, when wasted in the same way. The difference is that the weight of taxes being more sensible the waste occasions greater clamor, and is therefore more speedily remedied. But it will appear that the eventual evils which posterity must sustain from heavy taxes are greater than from loans. Hence may be deduced this conclusion, that in governments liable to a vicious administration it would be better to raise the current expense by taxes; but where an honest and wise appropriation of money prevails it is highly advantageous to take the benefit of loans. Taxation to a certain point is not only proper but useful, because by stimulating the industry of individuals it increases the wealth of the community. But when taxes go so far as to entrench on the subsistence of the people they have become burdensome and oppressive. The expenditure of money ought in such case to be, if possible, avoided; if unavoidable, it will be most wise to have recourse to loans.

Loans may be of two kinds, either domestic or foreign. The relative advantages and disadvantages of each, as well as those which are common to both, will deserve attention. Reasonings of this kind as they depend on rules of arithmetic are best understood by numerical positions. For the purposes of elucidation, therefore, it may be supposed that the annual tax of any particular husbandman were fifteen pounds [during a ten years' war, and that his net revenue were but fifteen pounds],† so that (the whole being regularly consumed in payment of taxes) he would be no richer at the end of the war than he was at the beginning. It is at the same time notorious that the profits made by husbandmen on funds which they borrowed were very considerable. In many instances their plantations as well as the cattle and family utensils have been purchased on credit and the bonds given for both have shortly been paid by sales of produce. It is, therefore, no exaggeration to state the profits at twelve per cent. The enormous usury which people in trade have been induced to pay, and which will

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\* MSS. Dep. of State, 6 Sparks' Dip. Rev. Corr., 505, with verbal changes and omissions.

† Passage in brackets omitted in Sparks' ed.

presently be noticed, demonstrates that the profits made by the other professions are equal to those of the husbandman.

The instance, therefore, taken from that which is the most numerous class of citizens, will form no improper standard for the whole. Let it, then, be farther supposed in the case already stated that the party should annually borrow the sum of ten pounds at six per cent. to pay part of his tax of fifteen pounds at six per cent. On this sum, then, he would make a profit of twenty-four shillings and have to pay an interest of twelve shillings. The enclosed calculation will show that in ten years he would be indebted one hundred pounds, but his additional improvements would be worth near one hundred and fifty, and his net revenue be increased near twelve, after deducting the interest of his debt. Whereas, if he had not borrowed, his revenue, as has been already observed, would have continued the same. This mode of reasoning might be pursued farther; but what has been said is sufficient to show that he would have made a considerable advantage from the yearly loan. If it be supposed that every person in the community made such a loan, a similar advantage would arise to the community. And lastly, if it be supposed that the government were to make a loan, and ask so much less in taxes, the same advantage would be derived. Hence, also, may be deduced this position, that in a society where the average profits of stock are double the interest at which money can be obtained every public loan for necessary expenditures provides a fund in the aggregate of national wealth equal to the discharge of its own interest.

Were it possible that a society should exist in which every member would of his own accord industriously pursue the increase of national property, without waste or extravagance, the public wealth would be impaired by every species of taxation. But there never was and, unless human nature should change, there never will be, such a society. In any given number of men there always will be some who are idle and some who are extravagant. In every society, also, there must be some taxes, because the necessity of supporting government and defending the state always exists. To do these on the cheapest terms is wise, and when it is considered how much men are disposed to indolence and profusion it will appear that even if those demands did not require the whole of what could be raised, still it would be wise to carry taxation to a certain amount, and expend what should remain, after providing for the support of government and the national defence, in works of public utility, such as the opening of roads and navigation; for taxes operate two ways towards the increase of national wealth: First, they stimulate industry to provide the means of payment. Secondly, they encourage economy, so far as to avoid the purchase of unnecessary things and keep money in readiness for the tax-gatherers. Experience shows that those exertions of industry and economy grow by degrees into habit. But, in order that taxation may have these good effects,

the sum which every man is to pay and the period of payment should be certain and unavoidable.

This digression opens the way to a comparison between foreign and domestic loans. If the loan be domestic, money must be diverted from those channels in which it would otherwise have flowed ; and, therefore, either the public must give better terms than individuals or there must be money enough to supply the wants of both. In the latter case, if the public did not borrow, the quantity of money would exceed the demand, and the interest would be lowered ; borrowing by the public, therefore, would keep up the rate of interest, which brings the latter case within the reason of the former. If the public outbid individuals, those individuals are deprived of the means of extending their industry ; so that no case of a domestic loan can well be supposed where some public loss will not arise to counterbalance the public gain, except where the creditor spares from his consumption to lend to the Government, which operates a national economy. It is, however, an advantage peculiar to domestic loans that they give stability to Government by combining together the interests of the moneyed men for its support ; and consequently, in this country, a domestic debt would greatly contribute to that union which seems not to have been sufficiently attended to or provided for in forming the national compact. Domestic loans are also useful from the further consideration that, as taxes fall heavy on the lower orders of the community the relief obtained for them by such loans more than counterbalances the loss sustained by those who would have borrowed money to extend their commerce or tillage. Neither is it a refinement to observe that, since a plenty of money and consequent ease of obtaining it induce men to engage in speculations which are often unprofitable, the check which these receive is not injurious, while the relief obtained by the poor is highly beneficial.

By making foreign loans the community, as such, receive the same extensive benefits which one individual does in borrowing of another. This country was always in the practice of making such loans. The merchants in Europe trusted those in America. The American merchants trusted the country storekeepers, and they the people at large. This advance of credit may be stated at not less than twenty millions of dollars ; and the want of that credit now is one principal reason of those usurious contracts mentioned above. These have been checked by the institution of the bank, but, the funds of that corporation not permitting those extensive advances which the views of different people require, the price given for particular accommodations of money continues to be enormous ; and that again shows that to make domestic loans would be difficult, if not impracticable. The merchants not having now that extensive credit in Europe which they formerly had, the obtaining such credit by Government becomes in some sort necessary.

But there remains an objection with many against foreign loans,

which (though it arises from a superficial view of the subject) has no little influence. This is, that the interest will form a balance of trade against us, and drain the country of specie; which is only saying, in other words, that it would be more convenient to receive money as a present than as a loan; for the advantages derived by the loan exist, notwithstanding the payment of interest. To show this more clearly, a case may be stated which in this city is very familiar. An island in the Delaware overflowed at high water has, for a given sum, suppose a thousand pounds, been banked in, drained, and made to produce, by the hay sold from it at Philadelphia, a considerable sum annually; for instance, two hundred pounds. If the owner of such an island had borrowed in Philadelphia the thousand pounds to improve it and given six per cent. interest, he would have gained a net revenue of one hundred and forty pounds. This certainly would not be a balance of trade against his island, nor the draining it of specie. He would gain considerably, and the city of Philadelphia also would gain, by bringing to market an increased quantity of a necessary article.

In like manner, money lent by the city of Amsterdam to clear the forests of America would be beneficial to both. Draining marshes and bringing forests under culture are beneficial to the whole human race, but most to the proprietor. But at any rate, in a country and in a situation like ours, to lighten the weight of present burdens by loans must be good policy; for, as the governments acquire more stability and the people more wealth, the former will be able to raise and the latter to pay much greater sums than can at present be expected.

What has been said on the general nature and benefit of public loans, as well as their particular utility to this country, contains more of detail than is necessary for the United States in Congress, though, perhaps, not enough for many of those to whose consideration this subject must be submitted. It may seem superfluous to add, that credit is necessary to the obtaining of loans. But among the many extraordinary conceptions which have been produced during the present revolution, it is neither the least prevalent nor the least pernicious, that foreigners will trust us with millions, while our own citizens will not trust us with a shilling. Such an opinion must be unfounded, and will appear to be false at the first glance; yet men are, on some occasions, so willing to deceive themselves that the most flattering expectations will be formed from the acknowledgment of American independence by the States-General. But surely no reasonable hope can be raised on that circumstance, unless something more be done by ourselves. The loans made to us hitherto have either been by the court of France or on their credit. The Government of the United Netherlands are so far from being able to lend that they must borrow for themselves. The most, therefore, that can be asked from them is to become security for America to their own subjects; but it can not be expected that they will do this until they are assured and convinced

that we will punctually pay. This follows necessarily from the nature of their government, and must be clearly seen by the several States, as well as by Congress, if they only consider what conduct they would pursue on a similar occasion. Certainly Congress would not put themselves in a situation which might oblige them to call on the several States for money to pay the debts of a foreign power. Since, then, no aid is to be looked for from the Dutch Government, without giving them sufficient evidence of a disposition and ability to pay both principal and interest of what we borrow, and since the same evidence which would convince the government must convince the individuals that compose it, asking the aid of government must either be unnecessary or ineffectual. Ineffectual before the measures are taken to establish our credit, and unnecessary afterwards.

We are, therefore, brought back to the necessity of establishing public credit; and this must be done at home before it can be extended abroad. The only question which can remain is with respect to the means. And here it must be remembered that a free government, whose natural offspring is public credit, can not have sustained a loss of that credit, unless from particular causes, and, therefore, those causes must be investigated and removed before the effects will cease. When the continental money was issued a greater confidence was shown by America than any other people ever exhibited. The general promise of a body not formed into nor claiming to be a government was accepted as current coin; and it was not until long after an excess of quantity had forced on depreciation that the validity of these promises was questioned. Even then the public credit still existed in a degree, nor was it finally lost until March, 1780, when an idea was entertained that government had committed injustice. It is useless to enter into the reasons for and against the resolutions of that period. They were adopted and are now to be considered only in relation to their effects. These will not be altered by saying that the resolutions were misunderstood, for in those things which depend on public opinion it is no matter (so far as consequences are concerned) how that opinion is influenced. Under present circumstances, therefore, it may be considered as an incontrovertible proposition that all paper money ought to be absorbed by taxation, or otherwise, and destroyed before we can expect our public credit to be fully reestablished; for so long as there be any in existence, the holder will view it as a monument of national perfidy.

But this alone would be taking only a small step in the important business of establishing national credit. There are a great many individuals in the United States who trusted the public in the hour of distress, and who are impoverished and even ruined by the confidence they reposed. There are others whose property has been wrested from them by force to support the war, and to whom certificates have been given in lieu of it, which are entirely useless. It needs no inspiration to show that justice establishes a nation. Neither are the principles



of religion necessary to evince that political injustice will receive political chastisement. Religious men will cherish these maxims in proportion to the additional force they derive from divine revelation. But our own experience will show that from a defect of justice this nation is not established, and that her want of honesty is severely punished by her want of credit. To this want of credit must be attributed the weight of taxation for the support of the war and the continuance of that weight by the continuance of the war.

It is, therefore, with the greatest propriety your petitioners, already mentioned, have stated in their memorial that both policy and justice require a solid provision for funding the public debts. It is with pleasure, sir, that I see this numerous, meritorious, and oppressed body of men, who are creditors of the public, beginning to exert themselves for the obtaining of justice. I hope they may succeed, not only because I wish well to so righteous a pursuit, but because their success will be the great ground work of a credit that will carry us safely through the present just, important, and necessary war, which will combine us closely together on the conclusion of a peace; which will always give to the supreme representative of America a means of acting for the general defence on sudden emergencies, and which will, of consequence, procure the third of these great objects for which we contend, *peace, liberty, and safety*.

Such, sir, are the cogent principles by which we are called to provide solid funds for the national debt. Already Congress have adopted a plan for liquidating all past accounts, and if the States shall make the necessary grants of revenue, what remains will be a simple executive operation, which will presently be explained. But however powerful the reasons in favor of such grants, over and above those principles of moral justice which none, however exalted, can part from with impunity, still there are men who, influenced by penurious selfishness, will grumble of the expense, and who will assert the impossibility of sustaining it. On this occasion the sensations with respect to borrowing are reversed. All would be content to relieve themselves by loan from the weight of taxes, but many are unwilling to take up as they ought the weight of debt. Yet this must be done before the other can happen, and it is not so great but that we should find immediate relief by assuming it, even if *it were a foreign debt*. I say if it were a *foreign debt*, because I shall attempt to show, first, that being a *domestic debt*, to fund it will cost the community nothing, and secondly, that it will produce, on the contrary, a considerable advantage.

And as to the first point, one observation will suffice. The expenditure has been made, and a part of the community have sustained it. If the debt were to be paid by a single effort of taxation it could only create a transfer of property from one individual to another, and the aggregate wealth of the whole community would be precisely the same. But since nothing more is attempted than merely to fund the debt, by



providing for the interest at six per cent., the question of ability is resolved to the single point whether it is easier for a *part of the people* to pay one hundred dollars than for the *whole people* to pay six dollars. It is equally clear, though not equally evident, that a considerable advantage would be produced by funding our debts over and above what has been already mentioned as the consequence of national credit.

The advantage is threefold. First, many persons, by being creditors of the public, are deprived of those funds which are necessary to the full exercise of their skill and industry. Consequently the community are deprived of the benefits which would result from that exercise, whereas if these debts, which are in a manner dead, were brought back to existence moneyed men would purchase them up, though perhaps at a considerable discount, and thereby restore to the public many useful members who are now entirely lost, and extend the operations of many more to considerable advantage. For although not one additional shilling would be by this means brought in, yet by distributing property into those hands which could render it most productive the revenues would be increased, while the original stock continue the same. Secondly, many foreigners who make speculations to this country would, instead of ordering back remittances, direct much of the proceeds of their cargoes to be invested in our public funds, which, according to principles already established, would produce a clear advantage, with this addition, from peculiar circumstances, that it would supply the want of credit to the mercantile part of society. The last, but not least, advantage is that in restoring ease, harmony, and confidence not only the Government (being more respectable) would be more respected, and consequently better obeyed, but the mutual dealings among men on private credit would be facilitated. The horrors which agitate people's minds from an apprehension of depreciating paper would be done away. The secret hoards would be unlocked. In the same moment the necessity of money would be lessened and the quantity increased. By these means the collection of taxes would be facilitated, and thus, instead of being obliged to give valuable produce for useless minerals, that produce would purchase the things we stand in need of, and we should obtain a sufficient circulating medium by giving the people what they have always a right to demand, solid assurance in the integrity of their rulers.

The next consideration which offers is the amount of public debt, and every good American must lament that confusion in public affairs which renders an accurate state of it unattainable. But it must continue to be so until all accounts at home and abroad be fully adjusted. The enclosed is an estimate furnished by the Controller of the Treasury, from which it appears that there is already an acknowledged debt, bearing interest, to the amount of more than twelve millions of dollars. On a part of this, also, there is a large arrearage of interest, and there is a very considerable debt unsettled, the evidence of which exists in

various certificates given for property applied to the public service. This (including pay due to the army previous to the present year) can not be estimated at less than between seven and eight millions. Our debt to his most Christian majesty is above five millions. The nearest guess, therefore, which can be made at the sum total is from twenty-five to twenty-seven millions of dollars; and if to this we add what it may be necessary to borrow for the year 1783, the amount will be, with interest, by the time proper revenues are obtained, considerably above thirty millions. Of course the interest will be between eighteen hundred thousand and two millions of dollars.

And here, previous to the consideration of proper revenues for that amount, it may not be amiss to make a few general observations; the first of which is, that it would be injurious to the United States to obtain money in loans without providing beforehand the necessary funds; for, if those who are now so deeply engaged to support this war will not grant such funds to procure immediate relief, certainly those who come after them will not do it to pay a former debt. Remote objects, dependent on abstract reasoning, never influence the mind like immediate sensibility. It is, therefore, the province of wisdom to direct towards proper objects that sensibility which is the only motive to action among the mass of mankind. Should we be able to get money from the Dutch, without first providing funds, which is more than doubtful, and should the several States neglect afterwards making provision to perform the engagements of Congress, which is more than probable, the credit of the United States abroad would be ruined forever. Very serious discussions, also, might be raised among foreign powers, our creditors might have recourse to arms, and we might dishonorably be compelled to do what dishonestly we had left undone.

Secondly, the idea which many entertain of soliciting loans abroad to pay the interest of domestic debts is a measure pregnant with its own destruction. If the States were to grant revenues sufficient only to pay the interest of present debts, we might, perhaps, obtain new credit upon a general opinion of our justice, though that is far from certain. But when we omit paying by taxes the interest of debts already contracted, and ask to borrow for the purpose, making the same promises to obtain the new loans which had already been made to obtain the old, we shall surely be disappointed.

Thirdly, it will be necessary not only that revenues be granted, but that those revenues be amply sufficient for the purpose, because (as will presently appear) a deficiency would be highly pernicious, while an excess would be not only unprejudicial, but very advantageous. To perceive this with all necessary clearness, it must be remembered that the revenues asked for on this occasion must be appropriated to the purposes for which they are asked, and in like manner the sums required for current expenditures must be appropriated to the current

service. If then the former be deficient the latter can not be brought in to supply the deficiencies, and of course the public credit would be impaired; but should there be an excess of revenue it could be applied in payment of a part of the debt immediately, and in such case, if the credits should have depreciated they would be raised to par [and if already at par]\* the offer of payment would induce creditors to lower the interest. Thus, in either case, the means of making new loans on good terms would be extended, and the necessity of asking more revenues obviated.

Lastly, the revenues ought to be of such a nature as naturally and necessarily to increase, for creditors will have a greater confidence when they have a clear prospect of being repaid, and the people will always be desirous to see a like prospect of relief from the taxes. Besides which, it will be necessary to incur some considerable expense after the war, in making necessary establishments for a permanent naval force, and it will always be least objectionable to borrow for that purpose on funds already established.

The requisition of a five per cent. impost, made on the 3d of February, 1781, has not yet been complied with by the State of Rhode Island; but as there is reason to believe that their compliance is not far off, this revenue may be considered as being already granted. It will, however, be very inadequate to the purposes intended. If goods be imported and prizes introduced to the amount of twelve millions annually, the five per cent. would be six hundred thousand, from which at least one-sixth must be deducted, as well for the cost of collection as for the various defalcations which will necessarily happen, and which it is unnecessary to enumerate. It is not safe, therefore, to estimate this revenue at more than half a million of dollars, for, though it may produce more, yet probably it will not produce so much. It was in consequence of this, that, on the 27th day of last February, I took the liberty to submit the propriety of asking the States for a land tax of one dollar for every hundred acres of land, a poll tax of one dollar on all freemen and all male slaves between sixteen and sixty (excepting such as are in the Federal army, and such as are by wounds or otherwise rendered unfit for service), and an excise of one eighth of a dollar per gallon on all distilled spirituous liquors. Each of these may be estimated at half a million, and should the product be equal to the estimation, the sum total of revenues for funding the public debts will be equal to two millions. What has been the fate of these propositions I know not, but I will beg leave on this occasion not only to renew them, but also to state some reasons in their favor and answer some objections against them.

And first as to the land tax. The advantages of it are that it can be reduced to a certainty as to the amount and time. That no extraordinary means are necessary to ascertain it, and that land being the ulti-

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\* Passage in brackets omitted in Sparks' edition.

mate object of human avarice, and that species of permanent property which peculiarly belongs to a country as neither to be removed or concealed, it stands foremost for the object of taxation, and ought most particularly to be burdened with those debts which have been incurred by defending the freedom of its inhabitants. But besides these general reasons there are some which are in a manner peculiar to this country. The land of America may, as to the proprietors, be divided into two kinds; that which belongs to the great landowners, and that which is owned and occupied by the industrious cultivators. This latter class of citizens is, generally speaking, the most numerous and most valuable part of a community. The artisan may, under any government, minister to the luxuries of the rich, and the rich may, under any government, obtain the luxuries they covet. But the free husbandman is the natural guardian of his country's freedom. A land tax will probably, at the first mention, startle this order of men; but it can only be from the want of reflection, or the delusion must be kept up by the artifice of others. To him who cultivates from one to five hundred acres, a dollar per hundred is a trifling object, but to him who owns a hundred thousand it is important. Yet a large proportion of America is the property of great landholders; they monopolise it without cultivation; they are, for the most part, at no expense either of money or personal service to defend it, and keeping the price higher by monopoly than otherwise it would be, they impede the settlement and culture of the country. A land tax, therefore, would have the salutary operation of an agrarian law without the iniquity. It would relieve the indigent, and aggrandize the State by bringing property into the hands of those who would use it for the benefit of society.

The objections against such a tax are twofold; first, that it is unequal, and secondly, that it is too high. To obviate the inequality, some have proposed an estimate of the value of different kinds of lands. But this would be improper; because, first, it would be attended with great delay, expense, and inconvenience. Secondly, it would be uncertain, and therefore improper, particularly when considered as a fund for public debts. Thirdly, there is no reason to believe that any estimate would be just, and, even if it were, it must be annually varied, or else come within the force of the objection as strongly as ever; the former would cost more than the tax, and the latter would not afford the remedy asked for. Lastly, such valuations would operate as a tax upon industry, and promote that land monopoly which every wise government will study to repress. But further, the true remedy for any inequality will be obtained in the apportioning other taxes, of which there will always be enough to equalize this; besides, the tax being permanent and fixed, it is considered in the price of land on every transfer of property, and that produces a degree of equality which no valuation could possibly arrive at.

In a word, if exact numerical proportion be sought after in taxes,

there would be no end to the search. Not only might a poll tax be objected to as too heavy on the poor and too light on the rich, but when that objection was obviated the physical differences in the human frame would alone be as endless a source of contention as the different qualities of land. The second objection, that the tax is too high, is equally futile with the former. Land which is so little worth that the owner will not pay annually one penny per acre for the defence of it, ought to belong to the society by whom the expense of defending it is defrayed. But the truth is, that this objection arises from and is enforced by those men who can very well bear the expense, but who wish to shift it from themselves to others. I shall close this subject by adding, that as such a tax would, besides the benefits to be derived from the object of it, have the farther advantage of encouraging settlements and population, this would redound not only to the national good, but even to the particular good of the landholders themselves.

With respect to the poll tax, there are many objections against it, but in some of the States a more considerable poll tax already exists without inconvenience. The objections are principally drawn from Europe, by men who do not consider that a difference of circumstances make a material difference in the nature of political operations. In some parts of Europe, where nine-tenths of the people are exhausted by continual labor, to procure bad clothing and worse food, this tax would be extremely oppressive; but in America, where three days of labor produce sustenance for a week, it is not unreasonable to ask two days out of a year as a contribution to the payment of public debts. Such a tax will on the rich be next to nothing; on the middling ranks, it will be of very little consequence; and it can not affect the poor, because such of them as are unable to labor will fall within the exception proposed. In fact the situation of America differs so widely from that of Europe as to the matter now under consideration that hardly any maxim which applies to one will be alike applicable to the other. Labor is in such demand among us that a tax will fall on the consumer. An able-bodied man who demands one hundred dollars to go into military service for three years, can not be oppressed by the annual payment of one dollar while not in that service. This tax also will have the good effect of placing before the eyes of Congress the numbers of men in the several States; an information always important to Government.

The excise proposed is liable to no other objection than what may be made against the mode of collection, but it is conceived that this may be such as can produce no ill consequences. Excise laws exist, and have long existed, in the several States. Of all taxes those on the consumption of articles are most agreeable, because being mingled with the price they are less sensible to the people; and without entering into a discussion with which speculative men have amused themselves on the advantages and disadvantages of this species of taxation, it may be boldly affirmed that no inconvenience can arise from laying a heavy



tax on the use of ardent spirits. These have always been equally prejudicial to the constitutions and morals of the people. The tax will be a means of compelling vice to support the cause of virtue, and, like the poll tax, will draw from the idle and dissolute that contribution to the public service which they will not otherwise make.

Having said thus much on the propriety of these taxes, I shall pray leave to assure you of my ready acquiescence in the choice of any others which may be more agreeable to the United States in Congress, praying them nevertheless to consider that as the situation of the respective States is widely different, it will be wise to adopt a variety of taxes, because by that means the consent of all will be more readily obtained than if such are chosen as will fall heavy only on particular States.

The next object is the collection which, for the most obvious reasons, ought to be by authority derived from the United States. The collection of a land tax, as has been above observed, will be very simple. That of the poll may be equally so, because certificates of the payment may annually be issued to the collectors, and they be bound to return the certificates or the money, and empowered to compel a payment by every man not possessed of a certificate. If, in addition to this, those who travel from one State to another be obliged to take out and pay for a new certificate in each State, that would operate a useful regulation of police; and a slight distinction between those and the common certificates would still preserve their utility in numbering the people.

It is not necessary to dwell on the mode of collecting these branches of revenue, because in reason a determination on the propriety of the taxes should precede it. I will only take the liberty to drop one idea with respect to the impost already required. It is conceived that laws should be so formed as to leave little or nothing to the discretion of those by whom they are executed; that revenue laws in particular should be guarded in this respect from odium, being as they are sufficiently odious in themselves; and therefore it would have been well to have stipulated the precise sum payable on different species of commodities. The objection is, that the list to be accurate must be numerous. But this accuracy is unnecessary, the description ought to be very short and general, so as to comprise many commodities under one head; and the duty ought to be fixed according to their average value. The objection against this regulation is that the tax on fine commodities would be trivial, and on coarse commodities great. This indeed is true, but it is desirable for two reasons: First, that coarse and bulky commodities could not be smuggled to evade the heavy duty, and that fine commodities would not be smuggled to evade the light duty. Secondly, that coarse commodities, generally speaking, minister to the demands of necessity or convenience, and fine commodities to those of luxury. The heavy duty on the former would operate an encouragement to produce them at home, and by that means a stoppage of our commerce in



time of war would be most felt by the wealthy, who have always the most abundant means of procuring relief.

I shall now, sir, take the liberty to suppose that the revenues I have mentioned, or some others, to the amount of at least two millions net annual produce were asked for and obtained as a pledge to the public creditors to continue until the principal and interest of the debts contracted, or to be contracted, shall be finally paid. This supposition is made that I may have an opportunity thus early to express my sentiments on the mode of appropriation. It would be as follows: any one of the revenues being estimated, a loan should be opened on the credit of it, by subscription to a certain amount, and public debts of a particular description or species be received in payment of the subscriptions. This funded debt should be transferable under particular forms calculated for the prevention of fraudulent, and facilitating of honest negotiations. In like manner on each of these revenues should subscriptions be opened, proceeding by degrees so as to prevent any sudden revolutions in money matters, such revolutions being always more or less injurious.

I should further propose that the surplus of each of these revenues (and care should be taken that there would be a surplus) should be carried to a sinking fund; on the credit of which, and of the general promises of government, new loans should be opened when necessary. The interest should be paid half yearly, which would be convenient to the creditors and to the government, as well as useful to the people at large; because by this means, if four different loans were opened at different times, the interest would be payable eight times in the year; and thus the money would be paid out of the treasury as fast as it came in; which would require four officers to manage the business, keep them in more constant and regular employment, dispense the interest so as to command the confidence and facilitate the views of the creditors and return speedily the wealth obtained by taxes into the common stock.

I know it will be objected that such a mode of administration would enable speculators to perform their operations. A general answer to this would be that any other mode would be more favorable to them. But further, I conceive, first, that it is much beneath the dignity of government to intermeddle in such consideration. Secondly, that speculators always do least mischief where they are left most at liberty. Thirdly, that it is not in human prudence to counteract their operations by laws; whereas when left alone, they invariably counteract each other; and fourthly, that even if it were possible to prevent speculation, it is precisely the thing which ought not to be prevented, because he who wants money to commence, pursue, or extend his business, is more benefited by selling stock of any kind, even at a considerable discount than he could be by the rise of it at a future period; every man being able to judge better of his own business and situation than the government can for him.

So much would not perhaps have been said on the head of this objection, if it did not naturally lead to a position which has hitherto been ruinous, and might prove fatal. There are many men, and some of them honest men, whose zeal against speculation leads them to be sometimes unmindful not only of sound policy, but even of moral justice. It is not uncommon to hear that those who have bought the public debts for small sums, ought only to be paid their purchase money. The reasons given are that they have taken advantage of the distressed creditor and shown a diffidence in the public faith. As to the first, it must be remembered that in giving the creditor money for his debt they have at least afforded him some relief which he could not obtain elsewhere, and if they are deprived of the expected benefit they will never afford such relief again. As to the second, those who buy up the public debts, show at least as much confidence in the public faith as those who sell them. But allowing, for arguments sake, that they have exhibited the diffidence complained of, it would certainly be wiser to remove than to justify it. The one mode tends to create, establish, and secure public credit, and the other to sap, overturn, and destroy it. Policy is, therefore, on this, as I believe it to be on every other occasion, upon the same side of the question with honesty. Honesty tells us that the duty of the public to pay is like the same duty in an individual. Having benefited by the advances, they are bound to replace them to the party, or to his representatives. The debt is a species of property, and whether disposed of for the whole nominal value or the half, for something or for nothing, is totally immaterial. The right of receiving and the duty of paying must always continue the same. In a word that government which can, through the intervention of its courts, compel payment of private debts and performance of private contracts on principles of distributive justice, but refuses to be guided by those principles as to their own contracts and debts merely because they are not amenable to human laws, shows a flagitious contempt of moral obligations which must necessarily weaken, as it ought to do, their authority over the people.

Before I conclude this long letter, it would be unpardonable not to mention a fund which has long since been suggested and dwells still on the minds of many. You doubtless, sir, anticipate my naming of what are called the back lands. The question as to the property of those lands I confess myself utterly incompetent to decide, and shall not for that reason presume to enter on it. But it is my duty to mention that the offer of a pledge, the right of which is contested, would have ill consequences, and could have no good ones. It could not strengthen our credit, because no one would rely on such a pledge, and the recurrence to it would give unfavorable impressions of our political sagacity. But admitting that the right of Congress is clear, we must remember, also, that it is disputed by some considerable members of the confederacy. Dissensions might arise from hasty decisions

on this subject. And a government torn by intestine commotions is not likely to acquire or maintain credit at home or abroad.

I am not, however, the less clear in my opinion that it would be alike useful to the whole nation, and to those very constituent parts of it, that the entire disposition of those lands should be in Congress. Without entering, therefore, into the litigated points, I am induced to believe, and for that reason to suggest, the proposing this matter to the States as an amicable arrangement. I hope to be pardoned when I add that, considering the situation of South Carolina and Georgia, it might be proper to ask their consent to matters of the clearest right. But that, supposing the right to be doubtful, urging decision in the present moment might have a harsh and ungenerous appearance.

But if we suppose this matter to be arranged either in the one mode or in the other, so that the right of Congress be rendered indisputable (for that is a previous point of indispensable necessity), the remaining question will be as to the appropriation of that fund. And I confess it does not appear to me that the benefits resulting from it are such as many are led to believe. When the imagination is heated in pursuit of an object, it is generally overrated. If these lands were now in the hands of Congress, and they were willing to mortgage them to their present creditors, unless this were accompanied with a due provision for the interest it would bring no relief. If these lands were to be sold for the public debts they would go off for almost nothing. Those who want money could not afford to buy land. Their certificates would be bought up for a trifle. Very few moneyed men would become possessed of them, because very little money would be invested in so remote a speculation. The small number of purchasers would easily and readily combine; of consequence they would acquire the lands for almost nothing, and effectually defeat the intentions of Government, leaving it still under the necessity of making further provision, after having needlessly squandered an immense property.

This reasoning is not new. It has been advanced on similar occasions before, and the experience which all America has had of the sales of confiscated estates and the like, will now show that it was well founded. The back lands, then, will not answer our purpose without the necessary revenues. But those revenues will alone produce the desired effect. The back lands may afterwards be formed into a fund for opening new loans in Europe on a low interest, redeemable within a future period (for instance twenty years), with a right reserved to the creditors of taking portions of those lands on the non-payment of their debts at the expiration of the time. Two modes would offer for the liquidation of those debts. First, to render payment during the term to those who would not consent to alter the nature of the debt; which, if our credit be well established, would place it on the general footing of national faith. And, secondly, to sell portions of the land (during the term) sufficient to discharge the mortgage. I persuade

myself that the consent of the reluctant might be obtained, and that this fund might hereafter be converted to useful purposes. But I hope that in a moment when the joint effort of all is indispensable, no causes of altercation may be mingled unnecessarily in a question of such infinite magnitude as the restoration of public credit. Let me add, sir, that unless the money of foreigners be brought in for the purpose, sales of public lands would only absorb that surplus wealth which might have been exhaled by taxes; so that, in fact, no new resource is produced. And that while, as at present, the demand for money is so great as to raise interest to five per cent. per month, public lands must sell extremely low, were the title ever so clear. What, then, can be expected, when the validity of that title is one object of the war?

I have the honor to be, &c.,

ROBERT MORRIS.

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**Vergennes to Washington.\***

[Translation.]

VERSAILLES, *July 29, 1782.*

SIR: It is not in quality of a king, the friend and ally of the United States (though with the knowledge and consent of his majesty), that I now have the honor to write to your excellency. It is as a man of sensibility, and a tender father, who feels all the force of paternal love, that I take the liberty to address to your excellency my earnest solicitations in favor of a mother and family in tears. Her situation seems the more worthy of notice on our part, as it is to the humanity of a nation at war with her own, that she has recourse for what she ought to receive from the impartial justice of her own generals.

I have the honor to enclose your excellency a copy of a letter which Lady Asgill has just wrote me. I am not known to her, nor was I acquainted that her son was the unhappy victim, destined by lot to expiate the odious crime that a formal denial of justice obliges you to revenge.

Your excellency will not read this letter without being extremely affected; it had that effect upon the king and queen, to whom I communicated it. The goodness of their majesties' hearts induces them to desire that the inquietudes of an unfortunate mother may be calmed, and her tenderness reassured. I felt, sir, that there are cases where humanity itself exacts the most extreme rigor; perhaps the one now in question may be of the number; but allowing reprisals to be just, it is not less horrid to those who are the victims; and the character of your excellency is too well known for me not to be persuaded that you desire nothing more than to be able to avoid the disagreeable necessity.

There is one consideration, sir, which, though it is not decisive, may have an influence on your resolution. Captain Asgill is doubtless your

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\* MSS. Dep. State; 6 Sparks' Dip. Rev. Corr., 75.

prisoner, but he is among those whom the arms of the king contributed to put into your hands at Yorktown. Although this circumstance does not operate as a safeguard, it however justifies the interest I permit myself to take in this affair. If it is in your power, sir, to consider and have regard to it, you will do what is agreeable to their majesties; the danger of young Asgill, the tears, the despair of his mother, affect them sensibly; and they will see with pleasure the hope of consolation shine out for those unfortunate people.

In seeking to deliver Mr. Asgill from the fate which threatens him I am far from engaging you to seek another victim; the pardon, to be perfectly satisfactory, must be entire. I do not imagine it can be productive of any bad consequences. If the English general has not been able to punish the horrible crime you complain of in so exemplary a manner as he should, there is reason to think he will take the most efficacious measures to prevent the like in future.

I sincerely wish, sir, that my intercession may meet success; the sentiment which dictates it, and which you have not ceased to manifest on every occasion, assures me that you will not be indifferent to the prayers and to the tears of a family which has recourse to your clemency through me. It is rendering homage to your virtue to implore it.

I have the honor to be, with the most perfect consideration, sir, yours, &c.,

DE VERGENNES.

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**Lady Asgill to Count de Vergennes.\***

[Enclosed in the preceding.]

LONDON, *July* 18, 1782.

SIR: If the politeness of the French court will permit an application of a stranger, there can be no doubt but one in which all the tender feelings of an individual can be interested will meet with a favorable reception from a nobleman whose character does honor, not only to his own country, but to human nature. The subject, sir, on which I presume to implore your assistance is too heart-piercing for me to dwell on, and common fame has most probably informed you of it; it therefore renders the painful task unnecessary.

My son (an only son), as dear as he is brave, amiable as he is deserving to be so, only nineteen, a prisoner under the articles of capitulation of Yorktown, is now confined in America, an object of retaliation. Shall an innocent suffer for the guilty? Represent to yourself, sir, the situation of a family under these circumstances; surrounded as I am by objects of distress, distracted with fear and grief, no words can express my feelings or paint the scene. My husband given over by his physicians a few hours before the news arrived, and not in a state to be informed of

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\* 6 Sparks' Dip. Rev. Corr., 77.

the misfortune; my daughter seized with a fever and delirium, raving about her brother, and without one interval of reason, save to hear heart-alleviating circumstances.

Let your feelings, sir, suggest and plead for my inexpressible misery. A word from you, like a voice from heaven, will save us from distraction and wretchedness. I am well informed General Washington reveres your character. Say but to him you wish my son to be released, and he will restore him to his distracted family and render him to happiness. My son's virtue and bravery will justify the deed. His honor, sir, carried him to America. He was born to affluence, independence, and the happiest prospects. Let me again supplicate your goodness; let me respectfully implore your high influence in behalf of innocence, in the cause of justice, of humanity, that you would, sir, despatch a letter to General Washington from France, and favor me with a copy of it to be sent from hence.

I am sensible of the liberty I have taken in making this request; but I am sensible, whether you comply with it or not, you will pity the distress that suggests it; your humanity will drop a tear on the fault and efface it. I will pray that heaven may grant you may never want the comfort it is in your power to bestow on

ASGILL.

Morris to the President of Congress.\*

OFFICE OF FINANCE, *July 30, 1782.*

SIR: I do myself the honor to enclose for the inspection of Congress estimates for the service of the year 1783, amounting in the whole to eleven millions. I should be strictly justified in praying a requisition of the United States for that sum, but I conceive that the demands made should be the lowest which our circumstances will possibly admit of. I am persuaded that, if the United States in Congress will adopt those means of economy which are in their power, we may save two millions; and, therefore, on a presumption that those means will be adopted, I shall ask only nine millions. Congress will observe that the estimates of the marine department amount to two millions and a half; whereas there was no estimate made for that service in the last year, any more than for the civil list. There can be no doubt that the enemy have changed their mode of warfare, and will make their principal exertions in the naval line. It becomes us, therefore, to make like exertions, and that for the plainest reasons.

Experience has shown that the efforts to obtain a large army have for many years proved utterly fruitless. The only effect of those efforts has been to enhance the price of such men as were obtained, and thereby to disable the States who exerted themselves to raise recruits from

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\* MSS. Dept. of State; 6 Sparks' Dip. Rev. Corr., 524, with verbal changes.



pouring supplies into the public Treasury. Thus we have not only been unable to get more men, but also to pay and support those which we had gotten. Admitting, however, that the required number were obtained and properly supported as an army, these things are clear: First, that without naval aid we could not make an impression on the enemy's posts; secondly, that they would be able to harass and distress us in every quarter by predatory incursions; thirdly, that they would prevent us from receiving those supplies which are necessary alike to the operations and existence of our army; and, fourthly, that their inroads on our commerce would produce such distress to the country as to make our revenues utterly unproductive, and finally bring our affairs to destruction.

An army, therefore, without a navy, would be burdensome, without being able to give essential aid, supposing the enemy to have changed their system of carrying on the war. But if we had a navy, we should be able, first, to prevent the enemy from making the predatory incursions; secondly, we should, at least, keep their ships on our coast together, which would prevent them from injuring our commerce or obstructing our supplies; thirdly, if they kept in this country an equal or superior force, we should by that means have made a powerful diversion in favor of our allies, and contributed to give them a naval superiority elsewhere; fourthly, if our enemy did not keep an equal or superior force in this country we should be able by cruising to protect our own commerce, annoy theirs, and cut off the supplies directed to their posts so as to distress their finances and relieve our own; fifthly, by economising our funds, and constructing six ships annually, we should advance so rapidly to maritime importance that our enemy would be convinced, not only of the impossibility of subduing us, but also of the certainty that his forces in this country must eventually be lost, without being able to produce any possible advantage; and, sixthly, we should, in this mode, recover the full possession of our country without the expense of blood or treasure, which must attend any other mode of operations, and while we are pursuing those steps which lead to the possession of our natural strength and defence.

I trust, sir, that the influence of these considerations will not only lead the councils of America to adopt the measures necessary for establishing a navy, but that by economising as much as possible we may be able (from the sums now to be asked for) to do more in that line than is contained in the estimate; but as this must depend on circumstances which we cannot command, so it is not prudent or proper to rely on it. Having already stated the lowest necessary sum at nine millions, I proceed, sir, to propose that four millions be borrowed, which will reduce the quotas to five millions. I make this proposition under the idea that the plans contained in my letter of yesterday's date be adopted. The quotas, then, being five millions, the sum total of what will be taken from the people will amount to only seven millions; and of that full

twelve hundred thousand will be paid back as the interest of our domestic debt, so as not to be, in fact, any burden on the whole people, though a necessary relief to a considerable part of them. On this plain statement I shall make no comment. I shall only pray that as much expedition may attend the deliberations on these objects as the importance of them will permit, so that the States may be in a situation to make speedy decisions. And this is the more necessary as the negotiations for a loan must be opened in Europe early next winter.

I have the honor to be, &c.,

ROBERT MORRIS.\*

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Jay to Adams,†

PARIS, *August 2, 1782*

SIR: Your friendly letter of the 8th ultimo should not have remained so long unanswered had I not been obliged by sickness, which lasted several weeks, to postpone writing to any of my correspondents. Mrs. Jay has also been much indisposed. Indeed, neither of us has been blessed with much health since we left America.

Your negotiations in Holland have been honorable to yourself, as well as useful to your country. I rejoice in both, and regret that your

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\*AUGUST 1.

This day many people expected that my engagements to supply the Paymaster-General with money to discharge the notes which, under that engagement, he had issued to the officers of the Army on account of their pay, would be broken, and consequently, that my public credit would be lost, and a train of evils, easy to be conceived, ensue to the United States. But having warranted Mr. Pierce, the Paymaster-General, to give his notes in February last to all the officers of our Army, viz, to all subalterns for the amount of three months' pay, that is, for January, February, and March, 1782, I have for some time past been providing for the performance of this engagement, and to accomplish it have been distressed in a variety of channels. When this engagement was taken, it was at the pressing instance of the commander-in-chief, and to enable the officers to clothe themselves, which they could not have done without that seasonable aid. At the time this engagement was made I had a right to expect that four millions of dollars would be paid into the Treasury of the United States; as, agreeable to the requisitions of Congress, two millions were to be paid on the 1st day of April, and two millions on the 1st day of July. Instead of receiving those sums, I have not to this hour received fifty thousand dollars on account thereof, and have, therefore, been compelled to raise this money by selling bills of exchange on France. Upon sending for Mr. Pierce's return of the notes I issued, I find they amount to one hundred and forty thousand two hundred and sixty-six dollars; of which Mr. Sands is possessed of thirty-nine thousand, which he has delivered up on my paying part of the amount now and part to be paid a short time hence, which leaves to be provided for about eighty-five thousand nine hundred and forty-six dollars; and as this debt will be punctually paid, it leaves only an unprovided balance of fifteen thousand three hundred and twenty dollars, which I think will be ready before payment is demanded; so that the hopes and expectations of the malicious and disaffected will in this instance be disappointed.—*Diary*.

†7 J. Adams' Works, 602; 2 Corr. and Pub. Papers of John Jay, 324.

health has been so severely taxed by the business of your employment. I have also had my share of perplexities, and some that I ought not to have met with. I congratulate you on the prospect of your loan's succeeding, and hope your expectations on that subject may be realized. I commend your prudence, however, in not relying on appearances. They deceive us sometimes in all countries. My negotiations have not been discontinued by my leaving Madrid. The Count d'Aranda is authorized to treat with me, and the disposition of that court to an alliance with us seems daily to grow warmer. I wish we could have a few hours' conversation on this subject and others connected with it; as we have no cipher, I must be reserved. I had flattered myself with the expectation of seeing you here, and still hope that, when your business at The Hague will admit of a few weeks' absence, you may prevail upon yourself to pay us a visit. I really think that a free conference between us might be useful, as well as agreeable, especially as we should thereby have an opportunity of making many communications to each other that must not be committed to paper.

Mr. Oswald is here, and I hear that Mr. Fitzherbert is to succeed Mr. Grenville. Lord Shelburne continues to profess a desire for peace, but his professions, unless supported by faith, can have little credit with us. He says that our independence shall be acknowledged; but it is not done, and, therefore, his sincerity remains questionable. War must make peace for us, and we shall always find well-appointed armies to be our ablest negotiators.

The intrigues you allude to, I think, may be also traced at Madrid, but I believe have very little influence anywhere, except, perhaps, at London. Petersburg and Copenhagen, in my opinion, wish well to England, but are less desirous to share in the war than in the profits of it. Perhaps, indeed, further accessions of power to the house of Bourbon may excite jealousy, especially as America as well as Holland is supposed to be very much under the direction of France.

Did you receive my letters of the 18th March and 15th April? Think a little of coming this way.

I am, dear sir, with great esteem and regard, &c.,

JOHN JAY.

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Morris to the Governor of Rhode Island.\*

OFFICE OF FINANCE, *August 2, 1782.*

SIR: I presume you have been before this informed that all the States except Rhode Island have acceded to the impost law. A committee of Congress, lately appointed on this subject, did me the honor to request my attendance, with that of your delegates, to hear the objections from them, and know from me the circumstances attending

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\* 6 Sparks' Dip. Rev. Corr., 526.

the requisition. After a long conversation the committee were about to confer on a report, which, at my request, they were pleased to suspend, that I might have the last opportunity of praying your attention to the subject. And I was induced to make that request as well for the avoiding those disagreeable discussions which can not exist between the Union and an individual State without inducing pernicious consequences, as because it appeared to me that the reasons urged against passing the impost are not conclusive, as some have thought them to be.

Mr. Howell was so kind as to promise that he would state his objections in writing. This he has done and a copy of them is enclosed. They are,

1. That the impost would draw a disproportionate supply from either merchant or consumer.

2. That Rhode Island imports and consumes more of foreign articles in proportion than any other State.

3. That from her maritime situation she is exposed to great losses.

4. That the exclusive benefit of the impost should be carried to account of the State.

5. That the impost will raise prices, and therefore manufactures brought from the neighboring States will draw a revenue from Rhode Island.

6. That duties imposed by the neighboring States may compel Rhode Island to subsist by foreign articles.

7. That many men will be employed in the collection.

8. That it would be evaded by smuggling; and

9. That the collection may be objectionable.

To each of these I will reply in their order.

1. To determine whether the impost will act proportionably or not we must consider in what respect the proportion is to be taken. If it be a proportion between two of the States, that will be considered under the second head; if it be a proportion among the people of the same State, it is only recurring to the question whether taxes on consumption are useful; for so long as no man pays the tax but he who chooses to purchase the article, the disproportion, if any, is of his own creating. The necessity of a revenue to a certain amount must be admitted. Is it then wise to raise a part of it from the *consumption* of foreign articles. I say the consumption, because the tax undoubtedly falls on the consumer and not on the importer. If this be not a wise tax what shall we substitute? Articles of primary and immediate necessity are made in the State of Rhode Island. Both food and raiment can be had without crossing the Atlantic in search of them. Every man, therefore, is at liberty to use foreign articles or not. If he does use them the tax is voluntary, and therefore can not be considered as disproportionate any more than for one man to wear silk while another wears wool.

2. That Rhode Island consumes more foreign commodities in proportion than any other State in the Union can not be admitted. Rhode Island certainly makes many commodities, but the more southern States are in the habit of importing everything.

3. That Rhode Island is, from its situation, liable to the unhappy accidents of war is true; but this incidental evil, arising from an advantageous position, can not be adduced as a plea for exemption from public burdens. New York has suffered at least as much and as long.

4. That the exclusive benefits of an impost should be carried to the State where it is collected is a position unjust in itself, and which would forever prevent any duties; wherefore it would cut off not only one of the most productive but one of the most useful branches of revenue. Rhode Island, Pennsylvania, and some other States carry on the commerce of their neighbors as well as their own from which they derive great riches. The duties are always (like the risks and the expenses) paid by the consumer; for unless this be so no tolerable reason can be assigned why foreign commodities should be dearer in war than in peace. If then a considerable duty were laid by the commercial State it would fall on its uncommercial neighbor. That neighbor, therefore, would immediately take measures to carry on its own commerce and prohibit the bringing of articles from the commercial State. Those measures would produce a repeal of the duty. I take no notice here of the altercations which would arise; it is sufficient to show that the private view of revenue for the State would be defeated.

5 and 6. These objections do not appear to me to apply, because, in the first place, I can hardly suppose the neighboring States will ever think of laying duties on the produce, for if any of them should her citizens would be the sufferers. Secondly, if the article of produce be left uncontrolled by the Government, every individual will be a check on the avidity of his neighbors; and if by this means a piece of American goods can be vended cheaper in Rhode Island than a piece of foreign goods, the consumer in Rhode Island will, by the purchase of it, save money to himself and therefore to the country. And as the duty is collected only on foreign goods he will not pay the duty, and of course the duty on his State will be so much the less.

7. The seventh objection will apply more strongly to almost any other kind of tax, because this may be collected by a very small number of men.

8. The eighth objection I can not admit, because forming my opinion of that State from what I conceive to be the character of the gentleman who makes the objection, I can not believe it to be valid. Smuggling was formerly not disreputable, because it was the evading of laws which were not made by proper authority, and therefore not obligatory; but nothing can be more infamous than to defraud our own Government of so poor a pittance, and I trust that if any individual

were inclined to do so he would be detected by the first person who saw him, and would be as much exposed to the resentment and contempt of his fellow citizens as an informer would have been in the times alluded to.

9. The last objection ought not to be made, because there is no reason to suppose that Congress would devise means to oppress their fellow citizens. But it is one of our greatest misfortunes that men are apt to reason from one thing to another that is very dissimilar. The Parliament of England cares nothing about the consequences of laws made for us, because they were not affected by them. This is always the case under such circumstances, and forms one of the most powerful arguments in favor of free government. But how can it be supposed that a member of Congress who is liable to be recalled at a moment's warning would join in measures which are oppressive to the people, and which he must necessarily himself feel the weight of without deriving any advantage from them. For it is not here as in England that there is a king to buy votes for bad purposes. If the members of Congress be seduced it must be by the Congress, which is absurd. If, indeed, the Congress were either an hereditary body, self-existent, or if they were self-elected, there might be room for apprehension, but as they are there can be none.

Now, sir, the state of things is shortly this. The United States are deeply indebted to the people of America. They have called for revenues to pay their debts in a course of years, being the only means of reviving credit and lightening burdens. All the States consent but Rhode Island, to whose citizens a very considerable part of this debt is due. Of consequence the whole is suspended. The reasons assigned are purely local, and I verily believe are founded on mistaken principles. The revenue, however, if granted is insufficient. More must be demanded; and consequently, as all taxes are unpleasant, some State will be found to oppose any which can be devised on quite as good ground as the present opposition. What then is the consequence?

I am, sir, &c.,

ROBERT MORRIS,

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Luzerne to Washington.

[Translation.]

PHILADELPHIA, *August 5, 1782.*

SIR: This letter will be handed you by M. de Cloisy, who will inform you particularly of the motives of his journey to the northward.

I address myself with freedom to your excellency for a service that no one has it more in their power to render than yourself, and which is of the greatest importance to the naval army commanded by M. de Vau-



dreuil. It is not to be doubted that a large naval force will arrive at New York, either from the West Indies or from Europe. It is essential that our naval commanders should have the most exact and most frequent intelligence in this respect, respecting the number of vessels, their names, their destination, the time of their arrival, of their departure, the number of troops they embark, or artillery; in fact, not a single movement can be known with too much precision. And I must request that you will take the necessary measures to give M. de Vaudreuil regular information on all these points. It could be wished that you would station regular expresses to facilitate the communication between you and him.

I ought to be well convinced of your goodness to take so much liberty, but the object is of such importance to the common cause that I have no doubt of your excusing me.

If the communication between you and M. de Vaudreuil is regular and sure, you might, I should think, correspond without cipher; if not, I must beg you to furnish M. de Vaudreuil with a cipher to make the matter more secure; and if your excellency will from time to time give me the same information, I shall be exceedingly obliged.

The procuring of the necessary intelligence must be attended with extraordinary expense; I must beg that your excellency will charge some one to acquaint me of the sums necessary for the purpose, and to whom I shall pay it. These expenses being wholly for the service of our fleet, must be charged to the department of the marine, and I have taken the necessary measures that they may be exactly paid.

By our last accounts from France, the Duc de Lauzun, and many other officers who had sailed, were obliged to put back, having met with a storm. It is supposed they may have sailed again towards the last of June.

I am, &c.,

LUZERNE.

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**Secret Journals of Congress—Negotiations with Spain.\***

AUGUST 6, 1782.

The committee, consisting of Mr. Rutledge, Mr. Duane, Mr. Madison, Mr. Osgood, and Mr. Montgomery, appointed to revise and consider the instructions from Congress to Mr. Jay, and to report if any and what alterations or additions should be made to them, reported as follows:

That the minister plenipotentiary at the court of Spain be instructed, in case any propositions be made to him by the said court for a treaty with the United States, to decline acceding to them until he shall have transmitted them to Congress for their approbation; unless the treaty proposed be of such a tenor as to render his accession thereto necessary

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\* MSS. Dep. of State.

to the fulfillment of the stipulation on the part of the United States contained in the separate and secret article of their treaty with his most Christian majesty ; *in which case he is to conclude such treaty on the first requisition of his Catholic majesty.*

*Resolved*, That Mr. Jay be at liberty to leave Spain and go into any other part of Europe, whenever the state of his health may require it.

A motion was made by Mr. Rutledge, seconded by Mr. M’Kean, to strike out the words “ *in which case,*” &c., to the end of the first resolution ; and on the question, shall those words stand, the yeas and nays being required by Mr. Telfair—

New Hampshire .....	Mr. Gilman.....	No.	No.
Massachusetts .....	{ Mr. Osgood .....	No.	{ No.
	{ Mr. Jackson.....	No.	
Rhode Island .....	{ Mr. Cornell .....	No.	{ No.
	{ Mr. Howell.....	No.	
Connecticut .....	{ Mr. Root .....	No.	{ No.
	{ Mr. Huntingdon.....	No.	
	{ Mr. Dyer.....	No.	
New York .....	{ Mr. Duane. ....	No.	{ No.
	{ Mr. Scott.....	No.	
New Jersey.....	{ Mr. Clarke.....	No.	{ No.
	{ Mr. Condict .....	No.	
	{ Mr. Witherspoon .....	No.	
Pennsylvania .....	{ Mr. Montgomery .....	Aye.	{ Aye.
	{ Mr. Smith.....	No.	
	{ Mr. Clymer.....	Aye.	
Delaware.....	{ Mr. M’Kean.....	No.	{ No.
	{ Mr. Wharton .....	No.	
Maryland .....	Mr. Hanson .....	No.	No.
Virginia.....	{ Mr. Madison.....	No.	{ No.
	{ Mr. Bland.....	No.	
	{ Mr. Lee.....	No.	
North Carolina.....	{ Mr. Williamson .....	No.	{ No.
	{ Mr. Blount .....	No.	
South Carolina .....	{ Mr. Rutledge.....	No.	{ No.
	{ Mr. Ramsay.....	No.	
	{ Mr. Izard .....	No.	
	{ Mr. Middleton.....	No.	
Georgia .....	{ Mr. Telfair.....	No.	{ No.
	{ Mr. Jones.....	No.	
	{ Mr. Few .....	No.	

So it was resolved in the negative.  
On the question to agree to the first resolution as amended,  
*Resolved*, N. C. D. in the affirmative.  
On the question to agree to the second resolution,  
*Resolved*, N. C. D. in the affirmative.\*

\* A brief report of the debate on this resolution is given in Chas. Thomson’s Journal, New York Historical Society’s Collections, (1878,) pp. 84 ff.

## Congressional action on engagements with France.\*

*August 8, 1782.*

After the House had passed a vote for reinforcing the garrison at Fort Pitt with 300 militia from Pennsylvania and Virginia, and decided on a report respecting two Canadians,

Mr. Lee arose and reminded the House that there was a business before them of the greatest importance; that the interest, the honor, and the safety of these States were so much concerned that he could not be easy, nor stand justified to himself or his constituents until he had done everything in his power to bring it to determination. He therefore moved :

"That the instructions given on the 15 June, 1781, to the ministers plenipotentiary for negotiating a peace be reconsidered." This was seconded by Mr. Bland and some other members. But, Mr. Root rising and expressing a desire that the motion might be expressed in such terms as to avoid all debates concerning the effects of a reconsideration, he moved, "That a committee be appointed to revise and consider the instructions given to our ministers for negotiating a peace with Great Britain, and report what alterations ought to be made therein."

Mr. Lee said he wished only for a fair discussion of the subject and to avoid every difficulty and debate arising from forms, and therefore withdrew his motion and seconded that of Mr. Root.

Mr. Rutledge is resolved to adhere strictly to the principles of the alliance with France, and to show her all the respect and confidence which one nation would show to another. He had full confidence in her magnanimity, but is doubtful whether Congress had power to surrender themselves into her hands. The case is delicate; he does not wish to give an opinion; he may upon mature deliberation. The committee think it proper not to alter the instruction. It deserves consideration. He is therefore for appointing a committee; if upon the most mature deliberation the committee shall be of opinion that any alterations should be made they will report what they think proper; if they are of a contrary opinion they will say nothing about them. He found by looking over the journals that instructions had been given respecting a treaty of commerce, and that afterwards these were withdrawn and repealed and nothing farther done on the subject. He thought the committee to be appointed should be instructed to take this matter into consideration and report what was proper to be done.

Mr. Williamson said he had listened with the greatest attention to the arguments offered. He had examined the instructions given. He did not think them of so dangerous a nature as was represented. The independence of the States and the principles of the alliance and treaty of

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\* Extract from the papers of Charles Thomson, secretary of the Continental Congress, as published in the collections of the New York Historical Society for 1878, pp. 93 *et seq.*

commerce were fully secured. These were made ultimate, and not to be given upon any account. The matters in which the ministers were ultimately to be governed by the opinion of France were only what respected disputed boundaries, the fisheries, and other matters which might come into discussion at the treaty.

Mr. Rutledge. The boundaries are everything. What are the States? They must have boundaries. Is France to say what those boundaries shall be, and must we submit?

Mr. Lee differs in opinion with the gentleman from North Carolina. It is not sufficient that the independence of these States is secured. But he doubts whether even that is secured by the instructions. He is afraid of the accompaniment; that we shall be so circumscribed in our boundaries that our independence will be a nugatory independence. France in making a treaty will be governed by her own interest and from her long and close connection with Spain, and prefer it to ours. Is it wise, is it proper, to give a nation the absolute disposal of our affairs that is under the influence of two interests which she is bound to consult in preference to that of these States? This unlimited confidence will render us despicable in the eyes of France and make her less attentive to our rights. We have been informed by a minister of France that Spain has large claims on the lands beyond the mountains. Her conduct shows that she means to support her claim to that country. She wishes to confine us to the lands lying below the heads of the waters falling into the Atlantic. We are told that she thinks she has a right to possess herself of all to the westward. And shall we submit it to France, her old friend and ally, whether her claims shall be confirmed and we be excluded from the possession of that country? Besides, the power and instructions we have given will be dangerous to France and render her suspected by the other nations of Europe. Her language to the other powers of Europe has been that she entered into the war to support our independence; that we were left at liberty to grant the same indulgence and privileges to other nations that were granted to her. What will the other nations of Europe think when at the treaty of peace they find her intrusted with the whole, the absolute disposal of our affairs? Will they not become jealous? Will they not think she has deceived or means to deceive them? The instructions are also dangerous to the United States. It is essentially giving up the independence of these States and becoming dependents on the minister of France. For, notwithstanding what is said in the former part of the instructions respecting independence and adherence to the principles of the treaties, as the clause comes afterwards by which our ministers are bound to govern themselves ultimately by the advice and opinion of France, he is strong in the opinion and thinks he will be warranted by the rules of construction and the judgment of all men that this supersedes the former; and shall this be suffered to come in doubt? He is for binding the minister to pay the utmost respect and place the utmost confidence in France, to take no steps without consulting her.

Thus everything will be done that can and ought to be done. Can any friend of France desire more? Can any gentleman in this House wish to continue to her a power that will be ruinous to our independence, dangerous to herself, expose us to the contempt and scorn of all the nations of Europe, and bring upon both her and us their jealousy and perhaps their resentment?

Mr. Madison grants that the instructions given are a sacrifice of national dignity. But it was a sacrifice of dignity to policy. The situation of affairs and circumstances at the time rendered this sacrifice necessary. Nothing essential is given up, nor did it render our situation less precarious than it was before; nay, he was persuaded that this mark of confidence gave an additional security to our interests, as the court of France must be sensible that the odium of unequal or hard conditions will now rest wholly on her. At least he was sure that the instructions given did not weaken that security. Our interests are as safe in her hands now as they were before or as if the ministers were left wholly to their discretion. Our ministers may still, notwithstanding the instructions given, state and assert our claims and contend with the utmost earnestness for our rights, and it is only in the last extremity, when all their pleas, all their reasoning, and all their most earnest endeavors prove ineffectual, that they are ultimately to govern themselves by the advice and opinion of the court of France, and must not this have been the case if the instructions had never been given? France has voluntarily bound herself by the treaties she has entered into with us to secure and guarantee our independence and sovereignty absolute and unlimited as well in matters of government as commerce. What indication has she given of any alteration of sentiment or conduct towards us? It is her interest as well as policy to secure the affections of the people of the States, and forever separate us from Great Britain. She can never think us formidable to her while we continue absolutely independent, nor will she ever object to our enlarging our boundaries or increasing our commerce and naval power, unless we give her reason to suspect a want of confidence in her and a disposition to reunite ourselves with her ancient enemy. In that case interest and policy will both unite and induce her to keep us as weak as possible. Whether withdrawing our confidence at this critical moment will not give just grounds of suspicion and jealousy he leaves gentlemen to determine. There was a passage in Mr. Jay's letter lately read which made a strong impression on him; he did not know whether it made the same on others. He meant that passage which mentioned the fears and suspicions occasioned by the late change in the British administration, lest the men now in office who had always professed themselves friends to America, and had in such severe terms condemned the war, might influence the councils and conduct of the Americans. The withdrawing the instructions given on the 15th June, 1781, added to what has passed with regard to Spain, will increase that jealousy.

Let us consider how it will operate on Great Britain. Tired with the war and disappointed in all her attempts to separate us from France, there is reason to think there are serious thoughts of peace; but, flushed with her late success and flattered with the hopes of rising dissensions and jealousies between us and the other belligerent, will she not be encouraged to prosecute the war with new vigour and try by redoubled efforts to reduce us to her power?

But it is said our dignity is stained and that we must revoke the instructions in order to wipe off that stain and restore its lustre. But will this do? Will it repair our loss of dignity in the eyes of the nations of Europe to convince them we are a people unstable in our councils and measures, governed wholly by circumstances, *abject* and *profuse* of promises when in distress and difficulties, but who veer about on a change of circumstances and on whose promises and professions no reliance can be placed? In a word, continued he, I am persuaded that a change in the instructions will not add to our security. I am persuaded that it will give umbrage to our ally and by a seeming act of ingratitude or of diffidence awaken her suspicions and jealousies and abate her zeal in our favour. I am persuaded that the umbrage and jealousy which this measure will excite will be prejudicial to us and will give encouragement to our enemy to prosecute the war. I am persuaded it is now too late to alter, and that withdrawing our confidence will not cure the wound given to our national dignity. For all these reasons I shall be against touching the instructions given; but if any member thinks that anything farther can be done to secure to the United States the several objects claimed by them I shall have no objections to that, it being well understood that no encroachment is to be made on the instructions given, but they are to remain in their full force. I shall therefore move that the motion before the house be postponed, and if that is carried I shall then move—

That a committee be appointed to take into consideration and report to Congress the most advisable means of securing to the United States the several objects claimed by them and not included in their ultimatum for peace of the 15th day of June, 1781.

I now move that the consideration of the motion before the house be postponed.

Mr. Witherspoon seconded the motion. Said that if he had been against the instructions at the time they passed, he would now from circumstances be against altering them; but he would remind gentlemen that the passing the instructions of the 15 June, 1781, against which exceptions were now taken, was only the least of two evils which Congress were reduced to a choice of. A difference in sentiment had arisen between the Count de Vergennes and Mr. Adams respecting the use the latter thought he ought to make of the discretionary powers with which he was intrusted. This dispute was maintained by Mr. Adams with a pertinacity that gave just offence, more especially as



it must be allowed and Congress were sensible he was wrong. Besides this Mr. Adams entered into another dispute with Count de Vergennes on a subject which had no immediate connection with his mission. These disputes had given such offence that Congress were under the necessity either of recalling him or passing the instructions. They chose the latter as the least injurious to their national dignity. He was satisfied at the time and is still satisfied that it did not lessen our security. The court of France by her treaties with us was bound only to maintain our independence absolute and unlimited as well in matters of government as commerce. These being secured she had a right to judge whether she would continue the war for other objects claimed by us in the same manner as we had to judge whether we would continue the war on her account for objects not contained in the treaty. Our ministers were not restrained from urging everything they thought proper to obtain what we wished or desired. They could contend to the last and if obliged to submit they could enter their protest. Could they have done more if left quite at liberty? Congress adopted the only thing in their power to secure the rights of all the States. They added more members to Mr. Adams and those from different parts of the continent. This removed every suspicion or fear that the interest of one part would be sacrificed to secure that of another. He then touched upon the jealousy which a change in our instructions would excite, the opinion that would be formed of our instability and possibly of our ambition. G. B. had taken great pains to impress the courts in Europe with an opinion that we aim at conquest. France had even imbibed some suspicion of that sort, and therefore her former minister had in a free conference with Congress urged the necessity of moderation. He concluded with observing that as the confidence placed in France was a mere compliment, and not a giving up any real security, he should be against withdrawing it and should therefore vote for postponing.

Mr. Rutledge said it was true France was bound to maintain the independence of the States, but he wanted to know what were the States. He did not enter into the war for himself or for those inhabiting the lands on the waters falling into the Atlantic, but for posterity, for those who would hereafter inhabit the country beyond the mountains to the extent formerly claimed by the crown of Great Britain as belonging to these thirteen States. He would continue the war forever rather than be circumscribed in narrower bounds. He should therefore be against postponing.

The question being put passed in the affirmative.

Mr. Madison then proposed his resolution and was seconded by Mr. Witherspoon.

Mr. Rutledge resumed the debate; he was against the motion as explained. It is absolutely to ascertain our boundaries and define our other claims. He understood that the minister of France in a conference

with the committee who brought in the instructions of June, 1780, had pressed them to fix the claims of the U. S. They ought to have done it; as they did not then do it, it ought to be done now. They had no business to suppose we had disputed boundaries. There were other matters that might come on the carpet in a negotiation for peace. We had withdrawn the instructions and powers formerly given respecting a treaty of commerce with G. B.; we should say something on that matter.

He therefore would propose to postpone the present motion, and if that was carried he would move—

That a committee be appointed to revise the instructions to the ministers plenipotentiary of the U. S. for negotiating and concluding a treaty of peace with G. B., and to consider and report if any and what instructions should be given to them respecting such treaty and for negotiating a treaty of commerce with G. B., the motion for postponing being seconded by Mr. Dyer.

Mr. Witherspoon seemed to admit that the minister had desired the committee to fix their boundaries; that it could not be done so as to make it an ultimatum to the satisfaction of all the States. He observed that the happiness of the people on this side of the Alleghany Mountains was a sufficient object to induce them to enter into the war; that some of the States had their boundaries fixed and determined; that the State he had the honor to represent was one of them; that it had not entered into the war nor would it, he believed, be willing to continue it for the sake of boundless claims of wild uncultivated country, more especially as it was a matter of dispute and will undoubtedly occasion much contention among the States to whom that country if ceded will of right belong; that what relates to a treaty of commerce will come within the objects of the present motion; he is therefore against postponing it.

Mr. Jackson wished to have an exposition of our rights made out and laid before the King of France and that he should be informed nothing less will satisfy the people of this country.

Mr. Telfair. For his part, he thinks it no matter who gives up our rights, if they must be given up, whether the King of France or our ministers; he is for fixing our boundaries to the Mississippi. As to our claims beyond that to the South Sea he would leave them to discretion. Something more was said, but rather in the way of conversation.

The question for postponing being put passed in the negative. On the question for agreeing to Mr. Madison's motion, the yeas and nays being required by Mr. Telfair.

New Hampshire.....	Mr. Gilman .....	No.	No.
Massachusetts .....	{ Mr. Osgood .....	Aye.	{ Aye.
	{ Mr. Jackson .....	Aye.	
Rhode Island .....	{ Mr. Cornell.....	No.	{ No.
	{ Mr. Howell .....	No.	

Connecticut .....	{ Mr. Root.....Aye.	{	
	{ Mr. Huntington.....Aye.	}	Aye.
	{ Mr. Dyer.....Aye.	}	
New York .....	{ Mr. Duane.....Aye.	{	
	{ Mr. Scott.....Aye.	}	Aye.
New Jersey .....	{ Mr. Condict.....No.	{	
	{ Mr. Witherspoon.....Aye.	}	0.
Pennsylvania.....	{ Mr. Smith.....Aye.	{	
	{ Mr. Clymer.....Aye.	}	Aye.
Delaware.....	{ Mr. McKean.....Aye.	{	
	{ Mr. Wharton.....Aye.	}	Aye.
Maryland .....	Mr. Hanson.....Aye.		Aye.
Virginia.....	{ Mr. Madison.....Aye.	{	
	{ Mr. Bland.....Aye.	}	Aye.
	{ Mr. Lee.....Aye.	}	
N. Carolina.....	{ Mr. Williamson.....Aye.	{	
	{ Mr. Blount.....Aye.	}	Aye.
S. Carolina .....	{ Mr. Rutledge.....Aye.	{	
	{ Mr. Ramsay.....Aye.	}	Aye.
	{ Mr. Izard.....Aye.	}	
	{ Mr. Middleton.....Aye.	}	
Georgia .....	{ Mr. Telfair.....Aye.	{	
	{ Mr. Jones.....Aye.	}	Aye.
	{ Mr. Few.....Aye.	}	

The committee was appointed, consisting of Mr. Madison, Mr. Rutledge, Mr. Witherspoon, Mr. Jackson, and Mr. Duane.\*

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Franklin to Vergennes.†

PASSY, August 8, 1782.

SIR: Yesterday Mr. Oswald communicated to Mr. Jay and me a paper he had just received from his court, being a copy of the king's orders to the attorney or solicitor-general to prepare a commission to pass the great seal, appointing him to treat with us, &c., and he showed us a letter from Mr. Secretary Townshend, which expresses his concern that the commission itself could not be sent by this courier, the officers who were to expedite it being in the country, which would occasion a delay of eight or ten days; but that its being then sent might be depended on, and it was hoped the treaty might, in the mean time, be proceeded on. Mr. Oswald left with me a copy of the paper, which I enclose for your excellency's consideration, and am, with great respect, sir, your excellency's, &c.,

B. FRANKLIN.

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\* See *infra* October 3, 4, 1782.

† 2 Spark's Dip. Rev. Corr., 356; 8 Bigelow's Franklin, 140.

Vergennes to Franklin.\*

[Translation.]

VERSAILLES, *August 8, 1782.*

I have received, sir, the letter of this day with which you have honored me and the copy of the power which Mr. Oswald has communicated to you. The form in which it appears is not that which is usual on similar occasions, but it has not prevented me from forming my opinion in the first instance. I have bestowed the greatest attention on it, and if you will be so good as to favor me with a visit on Saturday morning I shall confer with you and Mr. Jay, if it will be convenient for him to accompany you.

I have the honor to be, most sincerely, sir, your most humble servant.  
DE VERGENNES.

Livingston to Franklin.†

PHILADELPHIA, *August 9, 1782.*

DEAR SIR: Having written to Mr. Jay, who I presume is with you, I do not think it necessary to repeat what I have mentioned to him. We have not heard from you since March, a very long period considering the interesting events that have taken place between that time and this. Many vessels have arrived without bringing us a line from you. I am apprehensive that Mr. Barclay does not communicate to you the frequent opportunities that offer of writing. I shall write to him upon the subject.

Sir Guy Carleton and Admiral Digby have informed the General that a negociation for a general peace is now on foot, and that the king, his master, has agreed to yield the independence of America without making it conditional. I shall enclose a copy of his letter at large, which refers to another object, the exchange of prisoners. This great point once yielded, I see nothing that will obstruct your negotiations, except three points of discussion, which I have before written to you about. I wish it had been possible to obtain the estimates I mention, as they might have been rendered useful to you upon one of them, but the negligence of the governors or legislatures of the several States has rendered all my endeavors hitherto unsuccessful, notwithstanding repeated promises to give this subject their earliest attention. The restoration of confiscated property has become utterly impossible, and the attempt would throw the country into the utmost confusion.

The fisheries are too important an object for you to lose sight of, and as to the back lands I do not conceive that England can seriously expect to derive any benefit from them that will be equivalent to the jeal-

\* 2 Sparks' Dip. Rev. Corr., 356.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 357, with verbal changes.

ousy that the possession of them would awaken and keep alive between her and this country. [Here follow 12 lines of cipher.] I transmit to you a bill for seventy-one thousand three hundred and eighty livres, being the amount of one quarter's salary to yourself and Messrs. Jay, Adams, Carmichael, Dana, and Dumas. No provision is made for the private secretaries or contingencies, not having been furnished with an account of them. I also send bills for the first quarter, commencing in January, so that you will on receipt of this be enabled to pay one-half year's salary to our ministers and their secretaries.

I just now learn that Carleton has published his and Digby's letter to the general. The design of this must either be to see whether the people of this country will catch so eagerly at the proposition for a peace which yields them their independence as to be careless about the alliance or to impress us with an idea that we are more indebted for our freedom to the generosity of Great Britain than to the attention of France to our interests in the general treaty. It is not to be doubted that the good sense and the gratitude of this country will defeat both these objects.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

P. S.—If Mr. Jay should not be at Paris I must beg you to open and decipher for him the letter of this month, and the resolution contained therein, marked on the back below the seal *August*, and send it to him by the earliest opportunity.

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J. Adams to Jay.\*

THE HAGUE, *August* 10, 1782.

SIR: It was with very great pleasure that I received this morning your kind favor of the 2d. I am surprised to learn that yours and Mrs. Jay's health have been disordered in France, where the air is so fine.

That your anxieties have been very great I doubt not. That most of them were such as you ought not to have met with, I can easily conceive. I can sincerely say that all mine, but my fever, were such as I ought not to have had. Thank God they are passed, and never shall return, for nothing that can happen shall ever make me so anxious again. I have assumed the *felicis animi immota tranquillitas*.

Nothing would give me more satisfaction than a free conversation between you and me upon the subjects you mention, and all others directly or indirectly connected with it or with any of our affairs, but I do not see a possibility of taking such a journey. The march of this people is so slow that it will be some time before the treaty of commerce can be finished, and after that I have other orders to execute, and must be

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\* 3 Sparks' Dip. Rev. Corr., 626; 7 J. Adams' works, 606.

here in person to attend every step. But, besides this, I think I ought not to go to Paris while there is any messenger there from England, unless he has full powers to treat with the ministers of the United States of America. If the three American ministers should appear at Paris at the same time with a real or pretended minister from London all the world would instantly conclude a peace certain and would fill at once another year's loan for the English. In Lord Shelburne's sincerity I have not the smallest confidence, and I think that we ought to take up Fox's idea and insist upon full powers to treat with us in character before we have a word more to say upon the subject. They are only amusing us. I would rather invite you to come here. This country is worth seeing, and you would lay me under great obligations to take your residence during your stay in the Hôtel des Etats-Unis. Many people would be glad to see you. I should be very glad, however, to be informed, from step to step, how things proceed.

As you justly observe, further accessions of power to the House of Bourbon may excite jealousies in some powers of Europe, but who is to blame but themselves? Why are they so short-sighted or so indolent as to neglect to acknowledge the United States and make treaties with them? Why do they leave the House of Bourbon to contend so long and spend so much? Why do they leave America and Holland under so great obligations? France has, and ought to have, a great weight with America and Holland, but other powers might have proportionable weight if they would have proportional merit.

If the powers of the neutral maritime confederation would admit the United States to accede to that treaty and declare America independent, they would contribute to prevent America at least from being too much under the direction of France. But if any powers should take the part of England they will compel America and Holland too to unite themselves ten times more firmly than ever to the House of Bourbon.

I do not know, however, that America and Holland are too much under the direction of France, and I do not believe they will be, but they must be dead to every generous feeling as men and to every wise view as statesmen if they were not much attached to France in the circumstances of the times.

I received two letters from you in the spring; one I answered, but have not the dates at present; the other kindly informed me of the arrival of my son in America, for which I thank you.

With great regard and esteem, I am, dear sir, your most obedient, &c.,

JOHN ADAMS.



## Franklin to Livingston. \*

PASSY, August 12, 1782.

SIR: I have lately been honored with your several letters, No. 10, March 9th; No. 11, May 22d; and No. 12, May 30th.

The paper containing a state of the commerce in North America and explaining the necessity and utility of convoys for its protection, I have laid before the minister, accompanied by a letter pressing that it be taken into immediate consideration; and I hope it may be attended with success.

The order of Congress for liquidating the accounts between this court and the United States was executed before it arrived. All the accounts against us for money lent, and stores, arms, ammunition, clothing, &c., furnished by Government were brought in and examined, and a balance received, which made the debt amount to the even sum of eighteen millions, exclusive of the Holland loan, for which the king is guarantee. I send a copy of the instrument to Mr. Morris. In reading it, you will discover several fresh marks of the king's goodness towards us, amounting to the value of near two millions. These, added to the free gifts before made us at different times, form an object of at least twelve millions for which no returns but that of gratitude and friendship are expected. These, I hope, may be everlasting. The constant good understanding between France and the Swiss cantons and the steady benevolence of this crown towards them afford us a well-grounded hope that our alliance may be as durable and as happy for both nations, there being strong reasons for our union and no crossing interests between us. I write fully to Mr. Morris on money affairs, who will doubtless communicate to you my letter, so that I need say the less to you on that subject.

The letter to the king was well received; the accounts of your rejoicings on the news of the dauphin's birth gave pleasure here, as do the firm conduct of Congress in refusing to treat with General Carleton and the unanimous resolutions of the assemblies of different States on the same subject. All ranks of this nation appear to be in good humor with us, and our reputation rises throughout Europe. I understand from the Swedish ambassador that their treaty with us will go on as soon as ours with Holland is finished, our treaty with France, with such improvements as that with Holland may suggest, being intended as the basis.

There have been various misunderstandings and mismanagements among the parties concerned in the expedition of the *Bon Homme Richard*, which have occasioned delay in dividing the prize money. M. de Chaumont, who was chosen by the captains of all the vessels in the expedition as their agent, has long been in a state little short of

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 358; 9 Sparks' Franklin, 382; 8 Bigelow's Franklin, 145.

bankruptcy, and some of the delays have possibly been occasioned by the distress of his affairs. He now informs me that the money is in the hands of the minister of the marine. I shall in a few days present the memorial you propose, with one relating to the prisoners, and will acquaint you with the answer. Mr. Barclay is still in Holland; when he returns he may take into his hands what money can be obtained on that account.

I think your observations respecting the Danish complaints through the minister of France perfectly just. I will receive no more of them by that channel, and will give you reasons to justify my refusal.

Your approbation of my idea of a medal to perpetuate the memory of York and Saratoga victories gives me great pleasure and encourages me to have it struck. I wish you would acquaint me with what kind of a monument at York the emblems required are to be fixed on; whether an obelisk or a column; its dimensions; whether any part of it is to be marble, and the emblems carved on it; and whether the work is to be executed by the excellent artists in that way which Paris affords; and, if so, to what expense they are to be limited. This puts me in mind of a monument I got made here and sent to America, by order of Congress, five years since. I have heard of its arrival, and nothing more. It was admired here for its elegant antique simplicity of design and the various beautiful marbles used in its composition. It was intended to be fixed against a wall in the State house of Philadelphia. I know not why it has been so long neglected; it would, methinks, be well to inquire after it, and get it put up somewhere. Directions for fixing it were sent with it. I enclose a print of it. The inscription in the engraving is not on the monument; it was merely the fancy of the engraver. There is a white plate of marble left smooth to receive such inscription as the Congress should think proper.\*

Our countrymen who have been prisoners in England are sent home, a few excepted who were sick and who will be forwarded as soon as recovered. This eases us of a very considerable charge.

I communicated to the Marquis de la Fayette the paragraph of your letter which related to him. He is still here, and as there seems not much likelihood of an active campaign in America he is probably more useful where he is. His departure, however, though delayed, is not absolutely laid aside.

The second changes in the ministry of England have occasioned, or have afforded, pretences for various delays in the negotiations for peace. Mr. Grenville had two successive imperfect commissions. He was at length recalled, and Mr. Fitzherbert is now arrived to replace him with a commission in due form to treat with France, Spain, and Holland. Mr. Oswald, who is here, is informed by a letter from the new Secretary of State, that a commission empowering him to treat

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\* This, Mr. Bigelow states, was probably the monument Congress voted to be erected to Montgomery, and which was placed in St. Paul's Church, New York.

with the Commissioners of Congress will pass the seals and be sent him in a few days; till he arrives this court will not proceed in its own negociation. I send the *enabling act*, as it is called. Mr. Jay will acquaint you with what passes between him and the Spanish ambassador respecting the proposed treaty with Spain. I will only mention that my conjecture of that court's design to coop us up within the Allegheny Mountains is now manifested. I hope Congress will insist on the Mississippi as the boundary, and the free navigation of the river, from which they could entirely exclude us.

An account of a terrible massacre of the Moravian Indians has been put into my hands. I send you the papers that you may see how the fact is represented in Europe. I hope measures will be taken to secure what is left of those unfortunate people.

Mr. Laurens is at Nantes waiting for a passage with his family to America. His state of health is unfortunately very bad. Perhaps the sea air may recover him and restore him well to his country. I heartily wish it. He has suffered much by his confinement.

Be pleased, sir, to present my duty to the Congress, and assure them of my most faithful services.

With great esteem, I have the honor to be, &c.,

B. FRANKLIN.

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Franklin to Robert Morris.\*

PASSY, August 12, 1782.

SIR: I have received (many of them at the same time) your sundry letters of March the 23d, April 8th and 17th, May 17th, 18th, two of the 23d and 29th. It would be a satisfaction to me if you would likewise mention from time to time the dates of those you receive from me.

Most of your letters press my obtaining more money for the present year. The late losses suffered in the West Indies and the unforeseen necessary expenses the reparation there and here must occasion render it more difficult, and I am told impossible, though the good disposition of the court towards us continues perfect. All I can say on the head of money, more than I have said in preceding letters, is that I confide you will be careful not to bankrupt your banker by your drafts; and I will do my utmost that those you draw shall be duly honored.

The plan you intimate for discharging the bills in favor of Beaumarchais, though well imagined, was impracticable. I had accepted them and he had discounted them, or paid them away, or divided them amongst his creditors. They were therefore in different hands, with whom I could not manage the transactions proposed. Besides, I had paid them punctually when they became due, which was before the receipt of your letter on that subject. That he was furnished with his

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\* 2 Sparks' Dip. Rev. Corr., 361; 9 Sparks' Franklin, 388; 8 Bigelow's Franklin, 152.

funds by the Government there is a supposition of which no foundation appears; he says it was by a company he had formed; and when he solicited me to give up a cargo in part of payment, he urged, with tears in his eyes, the distress himself and associates were reduced to by our delay of remittances. I am glad to see that it is intended to appoint a commissioner to settle all our public accounts in Europe. I hope he will have better success with M. Beaumarchais than I have had. He has often promised solemnly to render an account in two or three days. Years have since elapsed and he has not yet done it. Indeed I doubt whether his books have been so well kept as to make it possible.

You direct me, in yours of May 17th, to pay over into the hands of Mr. Grand, on your account, such moneys belonging to the United States as may be in Europe, distinct from those to be advanced for the current year. I would do it with pleasure if there were any such. There may be, indeed, some in Holland, raised by the new loan, but that is not in my disposition, though I have no doubt that Mr. Adams will, on occasion, apply it in support of your credit. As to all the aids given by the crown, all the sums borrowed of it, and all the Dutch loans of ten millions, though the orders to receive have been given to me, the payments from the Trésor Royal have all been made on my orders in favor of Mr. Grand, and the money again paid away by him on drafts for public services and expenses, as you will see by his accounts; so that I never saw or touched a livre of it, except what I received from him in discharge of my salary and some disbursements. He has even received the whole six millions of the current year, so that I have nothing in any shape to pay over to him. On occasion of my lately desiring to know the state of our funds, that I might judge whether I could undertake to pay what you were directed to pay to Mr. William Lee, by vote of Congress, as soon as the state of public finances would admit, Mr. Grand wrote me a note, with a short sketch of their then supposed situation, which I enclose. You will probably have from him, as soon as possible, a more perfect account; but this will serve to show that I could not prudently comply with your wish, of making that payment to Mr. Lee, and I have accordingly declined it, the less unwillingly as he is entitled by the vote to interest.

I send herewith the accounts of the supplies we have received in goods, which I promised in my last.

The sum of their value is included in the settlement made with this court, mentioned in a former letter. Herewith I also send a copy of the contract, which has been long in hand and but lately completed. The term of the first yearly payment we are to make was readily changed at my request from the first to the third year after the peace; the other marks of the king's bounty towards us will be seen in the instrument. The interest already due and forgiven amounts to more than a million and a half. What might become due before the peace is uncertain. The charges of exchange, commissions, brokerage, &c., of the

Dutch loan amount to more than five hundred thousand livres, which is also given, so that we have the whole sum net, and are to pay for it but four per cent. This liquidation of our accounts with the court was completed before the vote of Congress directing it came to hand. Mr. Grand examined all the particulars, and I have no doubt of its being approved.

Mr. Grand, to whom I have communicated your letter of April 17th, will soon write to you fully. We shall observe the general rule you give respecting the 5th, 6th, 7th, and 8th bills. The attention, care, and pains necessary to prevent (by exact accounts of those accepted and an examination of those offered) impositions, which are often attempted by presenting at a distant time the 2d, 3d, &c., are much greater than I could have imagined. Much has been saved by that attention, of which of late we keep an account; but the hazard of loss by such attempts might be diminished, together with the trouble of examination, by making fewer small bills.

Your conduct, activity, and address as a financier and provider for the exigencies of the state are much admired and praised here, their good consequences being so evident, particularly with regard to the rising credit of our country and the value of bills. No one but yourself can enjoy your growing reputation more than I do.

Mr. Grand has undertaken to pay any balance that may be found due to Messrs. Le Conteulx out of the money in his hands. Applying for so small a sum as 5,000 livres would be giving trouble for a trifle, as all applications for money must be considered in council.

Mr. Grand having already received the whole six millions, either in money or accepted bills, payable at different periods, I expect he will deliver up to me the bills for that sum which you have drawn upon me, the rather as they express value received by you. I never heard of any mention here of intended monthly payments or that the money could not be obtained but by your drafts. I enclose a letter, by which the payment was ordered of the last three millions.

I observe what you mention of the order, that the ministers' salaries are to be hereafter paid in America. I hereby empower and desire you to receive and remit mine. I do not doubt your doing it regularly and timely; for a minister without money, I perceive, makes a ridiculous figure here, though secure from arrests. I have taken a quarter's advance of salary from the 4th of last month, supposing it not intended to *muzzle immediately the mouth of the ox that treadeth out the corn.*

With great esteem, I am, &c.,

B. FRANKLIN.

P. S.—Your boys are well, and Mr. Ridley and Mr. Barclay still in Holland.



J. Adams to Jay."

THE HAGUE, *August 13, 1782.*

DEAR SIR: The public papers announce Fitzherbert's commission to be to treat with "the four powers at war with Great Britain." But whether they mean Hyder Ali or the Mahrattas is uncertain. I have obtained intelligence of a paper addressed lately from the court of St. James to the courts of Vienna and Petersburg, as well as that of Paris, in which are the following words, namely: "Sa majesté britannique dit qu'il ne préjuge, ni ne veut préjuger aucune question quelconque, et qu'il ne prétend exclure personne de la négociation qu'on a en vue, qui pourrait s'y croire intéressé, soit qu'il soit question des états généraux, soit qu'on y veuille faire entrer les colonies américaines." You, perhaps, may have seen the whole; if you have I beg a copy.

For my own part, I am not the minister of any "fourth state" at war with Great Britain, nor of any "American Colonies," and, therefore, I should think it out of character for us to have anything to say with Fitzherbert or in the congress at Vienna until more decently and consistently called to it. It is my duty to be explicit with you and to tell you sincerely my sentiments. I think we ought not to treat at all until we see a minister authorized to treat with "the United States of America" or with their ministers. Our country will feel the miserable consequence of a different conduct if we are betrayed into negotiations, in or out of a congress, before this point is settled; if gold and diamonds and every insidious intrigue and wicked falsehood can induce anybody to embarrass us and betray us into truces and bad conditions, we may depend upon having them played off against us. We are, and can be, no match for them at this game. We shall have nothing to negotiate with but integrity, perspicuity, and firmness. There is but one way to negotiate with Englishmen, that is clearly and decidedly; their fears only govern them. If we entertain an idea of their generosity or benevolence towards us, we are undone. They hate us universally, from the throne to the footstool, and would annihilate us, if in their power, before they would treat with us in any way. We must let them know that we are not to be moved from our purpose, or all is undone. The pride and vanity of that nation is a disease, it is a delirium; it has been flattered and inflamed so long by themselves and by others that it perverts everything. The moment you depart one iota from your character and the distinct line of sovereignty, they interpret it to spring from fear or love of them, and from a desire to go back. Fox saw we were aware of this and calculated his system accordingly. We must finally come to that idea and so must Great Britain. The latter will soon come to it if we do not flinch. If we discover the least weakness or wavering the blood and treasures of our countrymen will suffer for it in a great degree. Firmness! firmness and patience for a few months will carry

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\* 7 J. Adams' Works, 609; 2 Corr. and Pub. Papers of John Jay, 327.



us triumphantly to that point where it is the interest of our allies, of neutral nations, nay, even of our enemies, that we should arrive. I mean a sovereignty universally acknowledged by all the world. Whereas the least oscillation will, in my opinion, leave us to dispute with the world and with one another these fifty years.

With great respect, &c.,

JOHN ADAMS

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**Luzerne to Washington.\***

[Translation.]

PHILADELPHIA, *August 14, 1782.*

SIR: A cartel will probably have arrived at Boston with American sailors from England. One is arrived here with two hundred and forty sailors whom England has set at liberty. One of the captains with whom I have conversed tells me that a fleet of two hundred sail was to leave Portsmouth a few days after the cartels; they were to separate into three divisions, one for Charleston, one for New York, and one for Quebec; they are to be convoyed by frigates only; and they assure me the last division is the most important, having soldiers on board and many articles necessary for the defence of Quebec and for the subsistence of the inhabitants.

From the different accounts I can collect, it seems to be the design of England to make a general peace, but the demands on one side and the other will render a conclusion extremely difficult, and in such a case that power will spare nothing to effectuate a peace with the United States and turn all her efforts against France. As to a separate peace with the United States it will not take place. I am certain that they will not make peace but in concert with France.

I am, &c.,

LUZERNE.

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**J. Adams to H. Laurens.†**

THE HAGUE, *August 15, 1782.*

DEAR SIR: By a certain anonymous letter, you have had specimen of the infernal arts which have been and are practiced to create misunderstandings among American ministers. There has been an uninterrupted succession of them ever since I have been in Europe whether they are to be attributed to inventions of our enemies, or to still baser intrigues of pretended friends, or to impudent schemes of interested candidates and competitors for the little favors which Amer-

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\* 6 Sparks' Dip. Rev. Corr., 79.

† 7 J. Adams' Works, 611.

ican ministers have sometimes to bestow, or to all these together, I know not. The latter supposition is most probable. Enough of this, however.

*It seems that your friend Oswald is still at Paris, and Fitzherbert has taken the place of Grenville. He is said to be authorized to treat with the four powers at war with Great Britain. Pray what is your opinion of this? Ought we to accept of such powers? Can we consistently treat with any man who has not full powers to treat with the ministers of the United States of America?* I have one thing to propose to you, sir, in confidence. It is, if you approve it, to endeavor to get Mr. Jennings appointed secretary to the commission for peace. I wish Congress would appoint him.

I can give you no news from hence, except that I have been happy enough to obtain a little money for Congress; so that they may draw immediately, as soon as they send their ratification of my contract, for about thirteen or fourteen hundred thousand guilders. This you may mention to Congress or to any body else in America, if you write. The money is in hand of Messrs. Willink & Co., but can not be drawn out but by Congress, after the receipt of the ratification.

The treaty of commerce will probably pass the States of Holland this day.

With invariable esteem and respect, &c.,

JOHN ADAMS.

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Dumas to Livingston.\*

THE HAGUE, August 16, 1782.

SIR: At length the treaty of commerce has passed and was approved day before yesterday in the States of Holland, and the States-General proposed immediately a conference with Mr. Adams to put a final hand to it.

*August 19th.* The States of Holland separated on the 17th, after having resolved and decreed instructions for the plenipotentiaries which the republic sends to treat with Mr. Fitzherbert in conjunction with France and her allies. They talk, among other things, of acting in all respects in a communicative manner, and in concert with the ministers of the King of France and the other belligerent powers in the preparatory and preliminary negotiations, which they may begin with the ambassador of Great Britain, to do nothing without them, and to be assured, above all, of the sincere and unequivocal intentions of the British King to leave for the future the Republic in the full enjoyment of the rights of neutrality established in the Russian declaration of the 28th of February, 1780.

I have the honor to be, &c.,

DUMAS.

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\* 5 Sparks' Dip. Rev. Corr., 354.

## Hartley to Franklin.\*

LONDON, August 16, 1782.

My DEAR FRIEND: Yours I received by Major Young, together with the work of your *véritable philosophe*, which is full of humanity. I was not before that at a loss where I should have looked for my *véritable philosophe* in the present actual scene of public politics. Your honest, anxious, and unremitted endeavors towards the reëstablishment of peace must endear you to your own country and to all mankind. Whatever may have been transacted in America (if it can be possible that the suspicions which you mention should become true, viz, to tamper with America for a breach of faith, of which some suspicions seem to be thrown out by the Provinces of Maryland and Philadelphia) I can give the strongest testimonies of the constant honor and good faith of your conduct and correspondencies, and my letters to you will bear me equal testimony that I have never thrown out any dishonorable suggestions to you. When the proposed Congress of your *véritable philosophe* shall meet neither of us need fear its censures upon the strictest examination of our correspondence. We will claim the poet's character of the sincere statesman,

"Who knew no thought but what the world might hear."

In time of suspicion it must be some satisfaction to both of us to know that no line or word has ever passed between us but what the Governments of Great Britain, France, and America might freely peruse as the words of good faith, peace, and *sweet reconciliation*.

The resolutions of Maryland and Philadelphia, together with the slow proceedings of our *Plenipotentiaries*, and even the doubt suggested, whether they may not be waiting for events in America, give me much concern. Not being informed to a certainty of the state of the negotiation, I have declined any concern with the ministry upon the subject of the refugees, &c. My assistance can not be indispensable upon that topic, but I deem it indispensable to myself not to be committed in unknown ground, which, from the points above mentioned, must appear dubious to me. These are the reasons which I gave to the minister for declining. I must, at the same time, give him the justice of the most absolute and unlimited professions of sincerity for peace. Whatever divisions there may have been, as you say, suspected in the Cabinet, there are some of his colleagues still remaining in whom I have the greatest confidence for sincerity and good intentions. The public prints of this country have stated what are called *shades* of difference as to the mode. Those opinions which are imputed to Mr. Fox are certainly most suitable to my opinions. I am free to confess to you that my wishes would have been to have taken the most decisive ground relating to independence, &c., immediately from the 27th of March last, viz, the

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\* 2 Sparks' Dip. Corr., 364.

accession of the change of ministry. But I agree with you in sentiment, viz, to concur with all the good that offers when we can not obtain all the good that we might wish. The situation of my sentiments at present is an unbiased neutrality of expectation, as events may justify.

I shall be obliged to you for the earliest communications of any public events in America that may come to Europe, with any public resolutions of Congress or the provinces, &c., and all memorials or negotiations which may pass between the parties in America. I am very anxious to have the earliest information to form my opinions upon and to be prepared accordingly. My utmost endeavors will always be exerted to the blessed work of peace.

I am ever, your affectionate,

D. HARTLEY.

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J. Adams to Jay.\*

THE HAGUE, *August 17, 1782.*

SIR: The States-General have chosen Mr. Brantzen minister to negotiate for peace. Yesterday he did me the honor to dine with me. He is represented to be a good man and well fixed in the true system. I have very authentic information that his instructions will be such as France and America, as well as his own country, ought to wish them.

I have letters from Boston 17th June; grand rejoicings on the birth of the dauphin everywhere; the States giving strong instructions to their delegates in Congress to consent to no peace short of independence and without concert with France. The offers by Carleton are highly resented; taken much worse from the present ministry than they would have been from the former. The instructions from the States to Congress are to resent as an insult every offer which implies a deviation from their treaties or the smallest violation of their faith. I am promised to-morrow a copy of Mr. Fitzherbert's commission. I wish to know whether you or the Dr. have had any conferences with him and what passed. We are told of a Mr. Vaughan and Mr. Oswald at Paris. Have they any powers and what? This will be delivered you by Mr. Barclay, the consul, a worthy man, whom I beg leave to introduce to you.

With great regard,

JOHN ADAMS.

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\* 7 J. Adams' Works, 612.

J. Adams to Livingston.\*

THE HAGUE, August 18, 1782.

SIR: I have the honor to enclose for the information of Congress a copy of Mr. Fitzherbert's commission.

[Here follows the commission.]†

The States-General have appointed M. Brantzen their minister plenipotentiary to treat concerning peace, and he will set off for Paris in about three weeks. His instructions are such as we should wish. The states of Holland and West Friesland have determined the last week upon our project of a treaty of commerce, and I expect to enter into a conference with the States-General this week in order to bring it to a conclusion. I hope for the ratification of the contract for a loan, which has been sent five different ways. Upon the receipt of this ratification there will be thirteen or fourteen hundred thousand guilders ready to be paid to the orders of Congress by Messrs. Wilhem and Jean Wilink, Nicholas and Jacob Van Staphorst, and de la Lande and Fynjè.

The states and the regencies are taking such measures with the Stadtholder, by demanding his orders and correspondence about naval affairs, and by reassuming their own constitutional rights in the appointment of officers, &c., as will bring all things to rights in this Republic, which we shall find an affectionate and an useful friend. The communication of the following instructions to me is such a piece of friendship and such a mark of confidence as makes it my duty to request of Congress that it may be kept secret.

INSTRUCTIONS PROJECTED AND PASSED FOR THE AMBASSADOR LESTEVENON DE BERKENRODE AND M. DE BRANTZEN.

1. His most Christian majesty having manifested, in the most obliging manner, by his ambassador extraordinary, the Duc de la Vauguyon, who resides here, his favorable intention to have an eye to the interests of the Republic in the negotiation for a general peace, the aforesaid ministers will neglect nothing, but, on the contrary, will employ all their diligence and all their zeal to preserve and fortify more and more this favorable disposition of his majesty towards this state.

2. To this end those gentlemen, in all which concerns the objects of their commission, or which may have any relation to them, will act in a communicative manner and in concert with the ministry of his said majesty, and will make confidential communications of all things with them.

3. They will not enter into any negotiation of peace between the British court and the Republic, nor have any conferences thereupon with the ministers of the said court, before they are assured beforehand, in the clearest manner and without any equivocation, that his British majesty has in fact, and continues to have, a real intention to acquiesce, without reserve, that the Republic be in full possession and in-

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\*MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 628, with omissions and verbal changes; 7 J. Adams' Works, 613.

† The words *Quorumcunque statuum quorum interesse poterit* include the United States according to them but not according to the king who uses them, so that there is still room to evade. How much nobler and more politic was *Mr. Fox's idea* to insert the "Ministers of the United States of America" expressly!

disputable enjoyment of the rights of the neutral flag and of a free navigation in conformity to and according to the tenor of the points enumerated in the declaration of her Imperial majesty of Russia, dated the 28th of February, 1780.

4. When these gentlemen shall be certain of this, and shall have received the requisite assurances of it, they shall conduct in such a manner in the conferences, which shall then be held thereupon with the ministers of his Britannic majesty, as to direct things to such an end, that, in projecting the treaty of peace and friendship between his said majesty and the Republic, all the points concerning the free navigation be adopted word for word and literally from the said declaration of her Imperial majesty, and inserted in the said treaty; and, moreover, in regard to contraband (upon the subject of which the said declaration refers to the treaties of commerce then subsisting between the respective powers), that they establish henceforward a limitation so precise and so distinct that it may appear most clearly in future that all naval stores (*les munitions ou matières navales*) be held free merchandizes, and may not by any means be comprehended under the denomination of contraband; as also, that with regard to the visitation of merchant vessels, they establish the two following rules as perpetual and immutable, viz: first, that the masters (*patrons*) of merchant ships shall be discharged upon exhibiting their documents from whence their cargoes may be known, and to which faith ought to be given, without pretending to molest them by any visitation; secondly, that when merchant ships shall be convoyed by vessels-of-war all faith shall be yielded to the commanding officers, who shall escort the convoy, when they shall declare and affirm, upon their word of honor, the nature of their cargoes, without being able to require of vessels convoyed any exhibition of papers and still less to visit them.

5. These gentlemen shall insist also in the strongest manner, and as upon a condition *sine qua non*, upon this, that all the possessions conquered from the republic by the ships of war or privateers of his British Majesty, or by the arms of the English East India Company during the course of this war, or which may be further conquered from it before the conclusion of the peace, be restored to it, under the eventual obligation of reciprocity; and this, as far as possible, in the same state in which they were at the time of the invasion. And whereas the greatest part of these possessions have been retaken from the common enemy by the arms of his most Christian majesty, these gentlemen will insist in the strongest manner with his majesty and his ministry that, by the promise of restitution of these possessions to the state immediately after the conclusion of the peace, the republic may receive real proofs of the benevolence and of the affection which his majesty has so often testified for it.

6. These gentlemen will insist also in the strongest manner upon the just indemnification for all the losses unjustly caused by Great Britain to the state and to its inhabitants, both in Europe and elsewhere.

7. In the affairs concerning the interests of the company of the East Indies of this country these gentlemen ought to demand and receive the considerations of the commissaries who are now at Paris on the part of the company, and act in concert with them in relation to these affairs.

8. In all respects these gentlemen will hold a good correspondence with the ministers of the other belligerent powers; and it is very specially enjoined upon them, and recommended, to direct things to this, that in the said negotiations there be given no room to be able to conclude or resolve either treaty or cessation of hostilities, if it be not with the common and simultaneous concurrence of all the belligerent powers.

9. Finally, and in general, these gentlemen, during the course of all this negotiation, will have always before their eyes that the conferences at Paris, at least for the present, ought to be looked upon but as preparatory and preliminary, and that the decision of points which may remain in litigation ought to be reserved to a general congress, together with the final adjustment of the definitive treaty of peace; the whole at least until their high mightinesses, further informed of the success of these negotiations and of the inclination of the belligerent powers, shall find good to qualify these gentlemen for the final and peremptory conclusion of a treaty.



These instructions will show Congress in a clear light the disposition of this republic to be as favorable for us and our allies as we could wish it.

I have the honor to be, &c.,

JOHN ADAMS.

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J. Adams to Laurens.\*

THE HAGUE, August 18, 1782.

DEAR SIR: I have just received the enclosed letter, open for me to read. It appears to be from one who has a remarkable kind of benevolence towards the United States, such as has memorably appeared through the whole war, in almost all countries; I mean the benign inclination to be American agents, jobbers, officers, ambassadors, generals, and kings. Inclosed is a copy of Fitzherbert's commission; pray inclose it to Congress, that it may go as many ways as possible. What think you of the words "*Quorumcunque statuum quorum interesse poterit?*" If we should presume to think ourselves included in these words will Lord Shelburne be of the same mind? The States-General have appointed Mr. Brantzen their minister, who did me the favor to dine with me three days ago and then told me he should set off for Paris in about three weeks. Blessed are the peacemakers. Don't you wish yourself one?

JOHN ADAMS.

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Secret Journals of Congress—Fisheries—Mississippi Boundary.†

AUGUST 20, 1782.

[On November 17, 1781, the delegates from Massachusetts laid before Congress a resolution of the legislature of that State calling upon Congress to take strong action in respect to the fisheries. This was referred to a committee consisting of Mr. Lovell, Mr. Carroll, and Mr. Madison, who on January 8, 1782, made a report vindicating in great detail the title of the United States to the Mississippi valley and to the fisheries, touching also on the question of confiscation. (See 3 Secret Journals Cong. For. Aff., 150 ff, where this report is give in full.)

On January 22, 1782, this report was referred to a second committee, who, on August 16, 1782, reported certain "facts and observations" to be referred to the Secretary for Foreign Affairs, "to be by him digested, completed, and transmitted to the ministers plenipotentiary for negotiating a peace." These "facts and observations" are given in 3 Secret Jour. Cong. For. Aff., 161 ff.]

On August 20, 1782, the report being under debate for referring the foregoing facts and observations to the Secretary for Foreign Affairs,

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\* 7 J. Adams' Works, 612.

† MSS. Dep. of State.

to be by him digested, completed, and transmitted to the minister plenipotentiary of the United States for negotiating a treaty of peace, a motion was made by Mr. Rutledge, seconded by Mr. Williamson, to postpone the consideration of the report to make way for a motion which he read in his place by way of argument on the question for postponing. The yeas and nays were required by Mr. Telfair :

New Hampshire .....	Mr. Gilman.....	No.	No.
Massachusetts.....	{ Mr. Osgood.....	No.	} No.
	{ Mr. Jackson.....	No.	
Rhode Island .....	{ Mr. Cornell .....	No.	} No.
	{ Mr. Howell.....	No.	
Connecticut.....	{ Mr. Root.....	Aye.	} Aye.
	{ Mr. Huntington .....	Aye.	
	{ Mr. Dyer.....	Aye.	
New York .....	Mr. Scott .....	Aye.	Aye.
New Jersey .....	{ Mr. Clarke .....	No.	} No.
	{ Mr. Witherspoon .....	No.	
Pennsylvania .....	{ Mr. Montgomery .....	No.	} No.
	{ Mr. Smith.....	Aye.	
	{ Mr. Clymer.....	No.	
	{ Mr. Atlee .....	No.	
Delaware .....	Mr. Wharton .....	No.	No.
Maryland .....	{ Mr. Harrison .....	Aye.	} Aye.
	{ Mr. Wright .....	Aye.	
Virginia .....	{ Mr. Madison .....	Aye.	} Aye.
	{ Mr. Bland.....	Aye.	
	{ Mr. Lee .....	Aye.	
North Carolina.....	{ Mr. Williamson .....	Aye.	} Aye.
	{ Mr. Blount .....	Aye.	
South Carolina.....	{ Mr. Rutledge.....	Aye.	} Aye.
	{ Mr. Ramsey .....	Aye.	
	{ Mr. Izard .....	Aye.	
	{ Mr. Middleton.....	Aye.	
Georgia.....	{ Mr. Telfair.....	Aye.	} Aye.
	{ Mr. Jones .....	Aye.	
	{ Mr. Few .....	Aye.	

So the question was lost.

A motion was made by Mr. Witherspoon, seconded by Mr. Montgomery, "That the report be committed;" and on the question for commitment, the yeas and nays being required by Mr. Bland,

New Hampshire .....	Mr. Gilman .....	No.	No.
Massachusetts .....	Mr. Jackson .....	Aye.	Aye.
Rhode Island.....	{ Mr. Cornell .....	Aye.	} Aye.
	{ Mr. Howell .....	Aye.	
Connecticut .....	{ Mr. Root.....	Aye.	} Aye.
	{ Mr. Huntington.....	Aye.	
	{ Mr. Dyer .....	Aye.	
New York .....	{ Mr. Duane .....	Aye.	} Aye.
	{ Mr. Scott .....	Aye.	
New Jersey.....	{ Mr. Clarke.....	Aye.	} Aye.
	{ Mr. Witherspoon .....	Aye.	
Pennsylvania .....	{ Mr. Montgomery .....	Aye.	} Aye.
	{ Mr. Smith .....	Aye.	
	{ Mr. Clymer .....	Aye.	
	{ Mr. Atlee .....	Aye.	
Delaware .....	Mr. Wharton.....	Aye.	Aye.

Maryland .....	{ Mr. Hanson .....Aye. }	{ Aye. }
	{ Mr. Wright.....Aye. }	
Virginia .....	{ Mr. Madison .....Aye. }	{ Aye. }
	{ Mr. Bland.....Aye. }	
	{ Mr. Lee.....No. }	
North Carolina .....	{ Mr. Williamson .....Aye. }	{ Aye. }
	{ Mr. Blount.....Aye. }	
South Carolina.....	{ Mr. Rutledge .....Aye. }	{ Aye. }
	{ Mr. Ramsay .....Aye. }	
	{ Mr. Izard .....Aye. }	
	{ Mr. Middleton .....Aye. }	
	{ Mr. Gervais .....Aye. }	
Georgia .....	{ Mr. Telfair.....No. }	{ Aye. }
	{ Mr. Jones.....Aye. }	
	{ Mr. Few .....Aye. }	

So it was resolved in the affirmative.

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Martin, Governor, to Livingston.\*

NORTH CAROLINA, *August 20, 1782.*

SIR: Only a few days ago I was favored with your letter of the 2d of May, 1782, covering a resolution of Congress of the 1st, on a report of a committee to whom was referred a communication of the Secretary of Foreign Affairs.

However insidious the designs of the court of Britain may be in representing us as a divided people to the several mediating European powers, the several great exertions making by the continental union to prosecute the war with vigor against her, I make no doubt, will shortly undeceive them, and expose our enemy to the just contempt and ridicule he will draw upon himself by such false and illusive insinuations.

While the enemy held the important post of Wilmington, the above suggestion might be too true respecting its environs and the disaffected settlements of this State, but since they have abandoned the same our late revolted citizens, conscious of their delusion, return with cheerfulness to their allegiance and duty in support of the common cause, and I flatter myself we shall soon be a united people, and join our efforts with more efficacy to those of our sister States in terminating the war with honor to our arms.

Sensible of the great attention paid to the several States by the Congress in this resolution and the pertinent observations you have made thereon with a zeal becoming its importance, in putting our Legislature on their guard against any separate overtures that may be made to them by Britain without the intervention of Congress, I shall with pleasure do myself the honor to lay the same before them at their earliest meeting, which will be on the 1st of November next, at Hillsborough. In the meanwhile, sir, I can venture to pledge the faith of the State that the general assembly will listen to no negotiation, however

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 191, with verbal changes.

flattering and apparently advantageous, but what is made through the great council of the continent.

Yours of the 14th of May, announcing the birth of the dauphin of France, I have had the honor to receive, which joyful event, that it concerns the happiness of our great and illustrious ally and future welfare of his kingdom, I have communicated to the good citizens of this State.

Enclosed you have a copy of the acts of our last general assembly, agreeably to your request, which, by the delay of the printer, could not reach you sooner. I hope my letter accompanied with a map has safely come to hand.

I have the honor to be, &c.,

ALEXANDER MARTIN.

Morris to Sir Guy Carleton.\*

OFFICE OF FINANCE, *August 20, 1782.*

SIR: I do myself the honor to enclose to your excellency letters from the masters of two flag ships which have arrived in this port with American prisoners. I have sent them in by Mr. John Greene, one of the persons that came in the *Symmetry*, who will bring such orders as your excellency may think proper to transmit to those gentlemen. I have further to mention, sir, that I intend delivering to one of them such British marine prisoners as may be in this place or its vicinity, when they depart, provided their receipt shall be deemed a proper evidence of the delivery, on a settlement of the account hereafter. On this point I shall be happy to learn your sentiments. It might have been more proper to have addressed myself to Admiral Digby, especially as Mr. Greene carries the duplicates of a former letter to him. But as the king's servants in England have placed the masters of these flags under your excellency's directions, I was led to conclude that, if the concurrence of the admiral should be necessary, you would take the trouble of obtaining it.

I have the honor to be, with perfect respect, &c.,

ROBERT MORRIS.

J. Adams to Livingston.†

THE HAGUE, *August 22, 1782.*

SIR: Their high mightinesses have at length received their instructions from all the provinces, and I have this day been in conference with the grand committee, who communicated to me the remarks and propositions on their part. To this I shall very soon give my replication, and I hope the affair will be soon ended.

I was received in state by two of the lords at the head of the stairs,

\* 6 Sparks' Dip. Rev. Corr., 530.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 631; 7 J. Adams' Works, 614.

and by them conducted into the committee room, where the business is transacted. The committee consisted of one or more deputies from each province, together with the grand pensionary, Bleiswick, and the secretary, Fagel.

I have the honor to be, &c.,

JOHN ADAMS.

**Livingston to the President of Congress.\***

PHILADELPHIA, *August 23, 1782.*

SIR: By a late arrangement of the superintendent of finance he has directed that the salaries of the ministers and their secretaries be paid here and only one account opened with the office of foreign affairs, in consequence of which I have, at his request, stated their accounts quarterly and laid out the proceeds in the purchase of bills, which I have remitted to Dr. Franklin, with direction to answer their several drafts to the amount of the money so remitted. But as these bills are endorsed by me I by that means render myself responsible for their payment in my private character; and as I am not authorized by Congress, or by the gentlemen in whose behalf the money is remitted, to act as their agent I am liable to answer to them for the money received here if they should disapprove of its having been laid out in the purchase of bills. I also render myself accountable to them severally if the money remitted to Dr. Franklin should, by neglect or other cause, be applied to some other use than that for which it was remitted.

I have endeavored to obviate these inconveniences by writing to the ministers and their secretaries, informing them of this arrangement, and requesting them to appoint agents who shall manage their business here. In the meanwhile I must request, for my justification, some resolutions of Congress authorizing me to act as their agent till they shall make such appointments. I have thought it reasonable to charge them the usual commission upon the purchase of bills, and shall continue to do so till they appoint other agents.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

**Vergennes to Franklin.†**

[Translation.]

VERSAILLES, *August 23, 1782.*

SIR: I have received the letter you did me the honor of writing to me on the 9th instant as well as the memorial enclosed in it. I communicated the paper to the Marquis de Castries, and I make no doubt

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 192.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 366.

but that the minister will take into consideration its contents as far as circumstances will permit. 'We are desirous to adopt every measure that may tend to the prosperity of the commerce established between France and the United States, and we shall neglect nothing to accomplish this object to the universal satisfaction of the two countries. Congress will greatly facilitate our labor if they will communicate their ideas and wishes on this subject; and I make the request with greater confidence, as I am convinced that that assembly desires as much as we do to establish, on an advantageous and solid basis, the commercial concerns between France and America.

I have the honor to be, &c.,

DE VERGENNES.

Laurens to Adams.\*

NANTES, *August 27, 1782.*

MY DEAR SIR: Soon after I despatched a letter to you this morning, under the 25th instant, I was honored by yours of the 18th, but too late for an answer by this day's mail.

The copy of Mr. Fitzherbert's commission shall be transmitted to Congress by a vessel to Boston in a day or two.

I think an answer to your question on "*quorumcunque statum*" was anticipated in my last, but if you did not know it before please to remember I am a very indifferent Latinist; as well, however, as without assistance I can hammer out a construction upon the sentence taken altogether, there is no difficulty on your side. If the British ministers sit down with, they acknowledge you — acknowledge you to be a state interested, or "*whom it doth concern*," and the late act of Parliament, for enabling the king to make peace, &c., lame as it is, affords a sanction (but remember, I plead ignorance); in that case you may rest tranquil, regardless of Lord Shelburne's "*mind*." But I still see it possible that a general peace may be agreed upon by a treaty or treaties which shall terminate the war, independence tacitly or formally assured to the United States, France and America at liberty to lay down their arms, and you, gentlemen commissioners, not called upon to sit down about the business, except, by the court of France, for your formal consent. This, I know, was not the meaning of our ally in 1778, and I have already said it is inconsistent with the honor and the interest of the court of France to subject the United States to such an affront; wherefore, I am not apprehensive on that score; there is, nevertheless, a possibility. If the formal consent is refused, what then? I have given the answer. Congress, in that year or the next, bound themselves by a declaratory and explanatory resolve, which only proves that on their side there were doubts. Our ally was pleased by that act, but I know of no mu-

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\* 7 J. Adams's Works, 614.



tual obligation. Be this as it may, unless Great Britain has a deep design, first, to make a general peace, submitting to the letter of our eighth article, then to pick a quarrel with us and renew hostilities she must come to us in the general treaty, or separately, but hand in hand with the other. France will look at this with a jealous eye, and we have enough in reserve; but the United States should be on their guard, and not too suddenly "lay down their arms." I have spoken of possibilities of what may happen, founded on a certain ground of suspicion that the King of Great Britain aims at effecting a general peace without a direct participation by his revolted subjects. Thence the apparent ambiguity of the words you have quoted. I have said the court of France will not, or will not suddenly, gratify his humor. There is another court to whom we are not yet known as an independent nation. You will receive light from the first serious convention. I repeat that I would not so freely commit myself to every man. "Do not you wish yourself one of the peacemakers?" I have long since given a positive answer, and have only to add the business is in very good hands; three, especially at this time, is a more convenient and safe number than four; the fourth might prove an incumbrance, but could add no weight of abilities. Proceed quietly; do not be embarrassed by appearances; make a good peace, and you shall partake of the blessing you have pronounced.

Mynheer Brantzen gives time for the surrender of Gibraltar and the recapture of St. Christopher's, &c., for the evacuation of Charleston and New York, events, some of which we may hear of about the day he is to commence his journey diplomatic. To be sure, he will enter with a better grace, and have the better ground for demanding restitution and indemnification, but I should have received more satisfaction had I been assured that you yourself and that gentleman were already at Paris.

God bless you and give you success.

HENRY LAURENS.

The next time a packet from you comes directed to his excellency Henry Laurens, &c., Mr. Laurens will disclaim it.

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Morris to Hamilton.\*

OFFICE OF FINANCE, *August 28, 1782.*

SIR: I have duly received your several favors of the 22d and 27th of July and 10th and 13th of August. My not answering them is owing to causes which you will easily conceive; for you will easily conceive the multiplicity of objects to which I must turn my attention. I am very sorry to learn that you can no longer continue in the office of receiver. It would have given me great pleasure that you should have

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\* 6 Sparks' Dip. Rev. Corr., 531.

done so, because I am sure that you would have rendered very signal services to the public cause. This you will now do in another line, more important as it is more extensive; and the justness of your sentiments on public affairs induces my warm wish that you may find a place in Congress so agreeable that you may be induced to continue in it.

I am sorry to learn that any letter of mine should have given offence; but I conclude that this effect must follow from many parts of my writings and conduct; because the steady pursuit of what appears to be the true line of duty will necessarily cross the various oblique views of interest and opinion. To offend is sometimes a fault, always a misfortune. The letter in question is, I suppose, under the date of the 11th of December, of which I enclose you a copy. Let me at the same time assure you that in all your excellent letter of the 13th instant I most esteem the clause now in question, because it contains that useful information which is least common. I will make no apologies for the letter to any one, because apologies are rarely useful, and where the intention has been good they are to candid minds unnecessary. Possessed of the facts, you can guard against misrepresentation, and I have found that to be the most hostile weapon which either my personal or political enemies have been able to wield against me.

I have not even yet seen the resolutions of your legislature relative to an extension of the powers of Congress. I had supposed the same reason for them that you have expressed. Indeed, power is generally such a darling object with weak minds that they must feel extreme reluctance to bid it farewell; neither do I believe that anything will induce a general consent to part with it, but a perfect sense of absolute necessity. This may arise from two sources, the one of reason, the other of feeling; the former more safe and more uncertain, the latter always secure and often dangerous. It is, my dear sir, in circumstances like these that a patriotic mind seeking the great good of the whole on enlightened principles can best be distinguished from those vulgar souls whose narrow optics can see but the little circle of selfish concerns. Unhappily, such souls are but too common and but too often fill the seats of dignity and authority. A firm, wise, manly system of federal government is what I once wished, what I now hope, what I dare not expect, but what I will not despair of.

Your description of the mode of collecting taxes contains an epitome of the follies which prevail from one end of the continent to the other. There is no end to the absurdity of human nature; mankind seem to delight in contrast and paradox, for surely nothing else could sanctify (during a contest on the precise point of being taxed by our own consent) the arbitrary police which, on this subject, almost universally prevails. God grant you success in your views to amend it. Your ideas on the subject are perfectly correspondent to my own. As to your doubt on the mode of collecting it I would wish to obviate it by the observation that the further off we can remove the appointment of collec-

tors from popular influence, the more effectual will be their operations, the more they conform to the views of Congress, the more effectually will they enable that body to provide for general defence. In political life the creature will generally pay some deference to the creator. The having a double set of officers is indeed an evil, but a good thing is not always to be rejected because of that necessary portion of evil which in the course of things must be attached to it. Neither is this a necessary evil, for with a proper federal government, army, navy, and revenue, the civil administration might well be provided for by a stamp act, roads by turnpikes, and navigation by tolls.

The account you give of the State is by no means flattering; and the more true it appears, the more concern it gives me. The loan I hope will be completed, and I wish the *whole* amount of the tax may be collected. The forage plan I have disagreed to, and enclose for your information the copy of my letter on that subject to the quartermaster-general. I believe your State is exhausted, but perhaps even you consider it as being more so than it is. The certificates, which now form a useless load, will (if the United States adopt and the several States agree to a plan now before Congress) become valuable property. This will afford great relief. The scarcity of money also may be immediately relieved, if the love of popular favor would so far give way to the love of public good as to enforce plentiful taxation. The necessity of having money will always produce money. The desire of having it produces, you see, so much as is necessary to gratify the desire of enjoying foreign luxuries. Turn the stream which now flows in the channels of commerce to those of revenue, and the business is completed. Unfortunately for us, this is an operation which requires fortitude, perseverance, virtue, and which cannot be effected by the weak or wicked minds, who have only partial, private, or interested views.

When I consider the exertions which the country has already made, under striking disadvantages and with astonishing prodigality of national wealth, by pernicious modes of applying it, I persuade myself that regular, consistent efforts would produce much more than you suppose.

For your accurate, clear, and comprehensive description of general and particular characters, sentiments, and opinions, accept my sincere thanks and warm approbation. They do equal justice to your talents, both for observation and description.

Mr. Duer's attention to the business of his contract is very pleasing to me and honorable to himself. I am very sorry that he should lose by it, but to avoid this as much as possible I am determined to support him by liberal advances so soon as it shall be in my power to do it.

I pray you to believe me to be, yours, &c.,

ROBERT MORRIS.

Morris to Washington.\*

OFFICE OF FINANCE, *August 29, 1782.*

SIR: I have now to address you on a subject which cannot be more painful to you than it is to me. I am determined to act justly, and therefore when I find that I shall be unable to pay the contractors I will give them due notice in season. This period is fast approaching, and, unless the States make infinitely greater exertions than they have hitherto done, it must soon arrive. To comprise this matter in a short compass, your army is fed at a dollar for nine rations, or three dollars and a third per month to feed a soldier. Twenty-four thousand rations per day would therefore amount to eighty thousand dollars monthly, which is more than had been paid by all the States on the 1st instant. The object of this letter, sir, is to request that you will consider how your army is to be subsisted or kept together if I am obliged to dissolve the contracts. I pray that heaven may direct your mind to some mode by which we may be yet saved. I have done all that I could and given repeated warnings of the consequences, but it is like preaching to the dead. Every exertion I am capable of shall be continued while there is the least glimmering of hope.

I have the honor to be, with great respect, &c.,

ROBERT MORRIS.\*

\* AUGUST 29.

Mr. Duane, Arthur Lee, Abraham Clark, and Samuel Osgood, a committee of inquiry, came this morning and proceeded in their business. They desired me to make out an account of all the moneys that have come into my hands and those which I have paid. They asked the reasons for employing Mr. Swanwick, and proceeded in other parts of their inquiry until the hour for going to Congress arrived. They inquired into the reasons for appointing receivers of continental taxes in each State, and Mr. Clark expressed doubts of my authority to make those appointments. I therefore produced the acts of Congress of the 3d of November, 1781, which satisfied him on that point. I informed the committee that my reasons for making new appointments, in preference to employing the loan officers, were, first, the loan officers have not settled their accounts with the United States, and some of them have long accounts depending; secondly, although some of them may be fit, all are not; thirdly, had the money paid by the States, for the current expenses of the year, been put into the hands of the loan officers, the people entitled to the interest on loan-office certificates, issued by these gentlemen, would have been very clamorous for payment. They would not have entered into or admitted the distinction of moneys granted for revenue or for current expenses of the year.—*Diary.*

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\* 6 Sparks' Dip. Rev. Corr., 534.

Livingston to Adams.\*

PHILADELPHIA, *August 29, 1782.*

DEAR SIR: Near five months have elapsed since I have been favored with a line from you. Your letter of the 4th of March is the last that has as yet found its way to America.

Let me entreat you, sir, to reflect on the disgrace and discredit it brings upon this department to be kept thus in the dark relative to matters of the utmost moment, and how impossible it is without better information to declare the designs or wishes of Congress, since they must be in some measure directed by the state of their affairs in Europe; and yet, sir, they have hitherto been left, in a great measure, to collect that state from private letters, common newspapers, or the communications of the minister of France.

There is another circumstance in which the reputation of our ministers themselves is materially concerned. Letters announcing a fact that is well known before their arrival lose half their force and beauty. They cease to be interesting and are read with indifference. You have done yourself great injustice frequently in this way, for though your letters have generally been particular, yet, from not being sufficiently attentive to the means of conveyance, we frequently have had the facts they related published in the newspapers a month before their arrival. As one instance out of many, we received with your letter of the 11th of March Amsterdam papers of the 30th, which informed us of the determination of Holland relative to your reception. We are told that you were received in your public character the 19th of April, and yet, sir, we have not to this hour had any official information on that head. I am ready to make every allowance for the miscarriage of letters; but this should only urge our ministers to multiply the number of their copies, particularly where the subject of them is important. I feel myself so hurt at this neglect, Congress are so justly dissatisfied at seeing vessels arrive every day from France without public letters at this very critical period from any of our ministers, that I fear I have pressed the subject further than I ought to have done. If so, be pleased to pardon my earnestness, and to impute it to my wish as well to render this office more useful to the public as to enable you to give Congress more ample satisfaction.

The advantages which will be derived to these States from the acknowledgment of their political existence as an independent nation are too many and too obvious not to be immediately and sensibly felt by them. I sincerely congratulate you on having been the happy means of effecting this beneficial connexion. We may reasonably hope that your official letters will detail the progress of so interesting an event, and thereby enable us to form some judgment of the nature and principles of the government of the United Provinces. From the zeal that

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\* MSS. Dep. of State ; 3 Sparks' Dip. Rev. Corr., 631, with verbal changes.

they manifest to us, I should hope that you would find no great difficulty in the accomplishing of one great object of your mission—the procuring a loan—which neither the probability or the conclusion of a peace will render unnecessary. On the contrary I am inclined to believe that our wants will be more pressing at the close of the war, when our troops are to be paid and disbanded, than at any other period; and as it seems to have been your sentiment hitherto that money could be procured when our political character was fully known, I venture to hope that you have availed yourself of your present situation to obtain it.

General Carleton and Admiral Digby, presuming, I suppose, that our ministers were not the most punctual correspondents, have been pleased to inform us, through the commander-in-chief, that negotiations for a general peace are on foot. If so, I presume this will find you in France. In addition to the great objects which will become the subjects of discussion, and on which you are fully instructed, I could wish again to repeat one that I have mentioned in my last to you, which materially interests us. I mean the procuring a market for lumber and provisions of every kind in the West Indies. Should France pursue her usual system with respect to her colonies and England follow her example, the shock will be severely felt here, particularly in the States whose staples are flour, beef, and pork. But should either of them be so fully apprized of their true interest as to set open this market, at least for these articles, the advantage they will derive from it must compel the others to adopt the same system.

I need only to mention this matter to you. The arguments to show the mutual advantage of this commerce to this country, the Colonies, and the parent States will suggest themselves readily to you, and be suggested by you to those we are interested in convincing. The turtle and fruit of the Bahama Islands have formed powerful connexions among the good eaters and drinkers of this country. I recommend their interests to your care. They flatter themselves their friends, the Spaniards, will not interrupt their ancient alliance, if these islands should remain in their hands.

I have already transmitted you an account of the evacuation of Savannah. The enclosed papers contain a proclamation of General Scott announcing that of Charleston, and generously offering to provide for the transportation of the Royalists to east Florida, where the climate will doubtless aid administration in the proposed reduction of the list of pensioners. The fleet under the Marquis de Vaudreuil has unfortunately lost a seventy-four by striking a rock in the harbor of Boston. Congress have endeavored to compensate this loss by presenting his most Christian majesty with the America.\*

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\* SEPTEMBER 3.

This day I requested a committee of Congress for a conference. Mr. Rutledge, Mr. Osgood, and Mr. Madison were appointed, and I proposed to them to present the



I have caused two quarters' salary to be remitted to Dr. Franklin on your account, for which you will be so obliged as to send me a receipt. I must again press you to appoint an agent to receive your money here, as I act without any authority at present, which I must decline the hazard of doing in future.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

**Morris to Washington.\***

OFFICE OF FINANCE, *August 30, 1782.*

SIR: My letter of the 29th, which is enclosed, I have written for two reasons; one, that you may be informed and I may stand justified in every respect, should the event take place; the other, which is the principal one, that you may found a warm application on it to the States. You will, I hope, keep this entirely to yourself. You will see that I have not entrusted a view of it to my secretary or to any of the clerks. The effect of your application must depend on raising a very general alarm.

I have the honor to be, &c.,

ROBERT MORRIS.

**Dana to Livingston.†**

No. 4.

ST. PETERSBURGH, *August 30, 1782.*

SIR: I can not suffer the post of this day to depart without acknowledging the receipt of the quadruplicate of your No. 2 of the 2d of last March, and another of the 22d of May without any number. They were received last evening. Neither the original of the first nor either of the other copies has reached me, so that I have been a long time without any intelligence about affairs in our country from you. The

seventy-four gun ship, America, to his most Christian majesty, who has lately lost *Le Magnifique*, a seventy-four gun ship, in the harbor of Boston. The committee were unanimously of opinion with me that this unfortunate incident afforded Congress an opportunity of showing a mark of the sincerity of their attachment to their ally, by enabling his minister to continue the force of his fleet at a time when it could not otherwise be done. Besides the propriety which there is in showing this mark of attachment and gratitude to his most Christian majesty, I have several other strong and pointed reasons which induced me to propose and always to support this measure. The want of money in our treasury to fit, equip, and man this ship is amongst the number.—*Diary of R. Morris, quoted; 6 Sparks' Dip. Rev. Corr., 535.*

\* 6 Sparks' Dip. Rev. Corr., 534.

† MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 632.

reason you assigned for this surprised me. I thought it had been next to impossible that my letters written from hence in August, September, and October last should not have reached you long before that time. The only channel through which you can write me with the least security is Holland. If your letters are sent to the care of Mr. Adams they will come on under every possible caution; but no letter should be sent addressed immediately to me. In such a case there is no doubt but they would all be opened at the office here. I send all my own letters under cover to friends in Holland, which, though it doubles the postage, is a caution which ought not to be dispensed with.

Your letter No. 2 has eased me of much anxiety, particularly that paragraph of it which begins with the word "*you*" and ends with "*acknowledged*," as it has cleared up the point of most importance, and upon which I wanted more explicit directions than are contained in my instructions. Though this letter has been so long on its way, yet it has arrived in good season to answer every purpose of it. I have hitherto been governed by sentiments exactly conformable to those you have expressed in the clause which begins with "*all*" and ends with "*insecure*." But my anxiety arose from an apprehension that the expectations of Congress might possibly have been different, for want of some local information which I have never ventured to communicate.

I have reason to believe that at this time the illustrious sovereign of this empire and her principal ministers are fully convinced that the affairs of the United States have acquired a consistency which renders their independence perfectly secure, particularly that they are not distracted by internal divisions; that Congress are everywhere highly respected, freely obeyed, and firmly supported; that the governments of the several States harmonize with them and with each other in all great political points, and in their turn are equally respected, obeyed, and supported by their respective citizens. On these points there is no danger of our suffering from the misrepresentations of our enemies. If I have been able to collect any part of the sentiments of this court, it is that the independence of the United States is established beyond all question, and that its political measures, so far as they may take our country into view, will be formed upon that supposition. Indeed, they have long since been formed on that ground.

Sir, as I propose to forward two copies of this letter by the post of the day, I should miss of the opportunity if I enlarged here. I will take up the subject in my next by the next post. I am sorry to find the ordinance you mention does not accompany your letter, though you say you enclosed it. I wrote to Mr. Adams for it as soon as I heard of it, but have not received it from him.

I have the honor to be, &c.,

FRANCIS DANA.

## Luzerne to the President of Congress.\*

[Translation.]

PHILADELPHIA, *September 1, 1782.*

SIR: The undersigned, minister of France, has the honor of informing Congress that he will transmit to his court the resolution by which Congress offers the ship-of-the-line *America* to replace the ship, the *Magnifique*, which ran ashore at Boston, and which there is little hope of relieving. The Chevalier de la Luzerne can not anticipate the determination of his majesty with regard to this offer, but as the desire of Congress to substitute immediately the *America* for the *Magnifique* can not be accomplished if the undersigned minister waits for the orders of his court on this subject, he will, without delay, inform the Marquis de Vaudreuil of the resolution adopted by Congress on the 4th instant. This general will judge for himself whether the fleet of the king will be stationed on the coast long enough to allow time for launching this vessel, arming her, and transporting on board of her the crew, artillery, and rigging of the *Magnifique*. In that case the *America* will immediately join the fleet, in conformity with the wishes of Congress.

But whether circumstances shall allow this vessel to join his majesty's fleet, or render it impracticable, the undersigned minister can assure Congress that his majesty will behold with great pleasure the eagerness with which the United States, his allies, have made this offer, and that this new mark of their attachment and friendship will be infinitely agreeable to him.

LUZERNE.

## Townshend to Oswald.†

WHITEHALL, *September 1, 1782.*

SIR: I have received and laid before the king your letters of the 17th, 18th, and 21st ultimo; and I am commanded to signify to you his majesty's approbation of your conduct in communicating to the American commissioners the fourth article of your instructions, which could not but convince them that the negotiations for peace, and the cession of independence to the Thirteen United Colonies, were intended to be carried on and concluded with the commissioners in Europe.

Those gentlemen having expressed their satisfaction concerning that article, it is hoped they will not entertain a doubt of his majesty's determination to exercise, in the fullest extent, the powers with which the act of Parliament has invested him, by granting to America full, complete, and unconditional independence, in the most explicit manner, as an article of treaty.

T. TOWNSHEND.

\* 6 Sparks' Dip. Rev. Corr., 80.

† 2 Sparks' Dip. Rev. Corr., 366.

Franklin to Livingston.\*

PASSY, *September 3, 1782.*

SIR: I have just received yours, No. 13, dated the 23d of June. The accounts of the general sentiments of our people respecting propositions from England, and the rejoicings on the birth of the dauphin, give pleasure here; and it affords me much satisfaction to find the conduct of Congress approved by all who hear or speak of it, and to see all the marks of a constantly growing regard for us, and confidence in us, among those in whom such sentiments are most to be desired.

I hope the affair of Captain Asgill was settled as it ought to be, by the punishment of Lippincott. Applications have been made here to obtain letters in favor of the young gentleman. Inclosed I send you a copy of the answer I gave to that made to me.

I had before acquainted M. Tousard, that his pension would be paid in America, and there only, it being unreasonable to expect that Congress should open a pay office in every part of the world where pensioners should choose to reside. I shall communicate to him that part of your letter.

You wish to know what allowance I make to my private secretary. My grandson, William T. Franklin, came over with me, served me as a private secretary during the time of the commissioners; and no secretary to the commission arriving, though we had been made to expect one, he did business for us all, and this without any allowance for his services, though both Mr. Lee and Mr. Deane at times mentioned it to me as a thing proper to be done, and in justice due to him. When I became appointed sole minister here, and the whole business, which the commissioners had before divided with me, came into my hands, I was obliged to exact more service from him, and he was indeed, by being so long in the business, become capable of doing more. At length, in the beginning of the year 1781, when he became of age, considering his close attention to the duties required of him, and his having thereby missed the opportunity of studying the law, for which he had been intended, I determined to make him some compensation for the time past, and fix some compensation for the time to come, till the pleasure of Congress respecting him should be known. I accordingly settled an account with him, allowing him, from the beginning of December, 1776, to the end of 1777, the sum of 3,400 livres, and for the year 1778, the sum of 4,000 livres, for 1779, 4,800 livres, and for 1780, 6,000 livres. Since that time I have allowed him at the rate of three hundred louis per annum, being what I saw had been allowed by Congress to the secretary of Mr. William Lee, who could not have had, I imagine, a fourth part of the business to go through; since my secre-

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 367, with verbal changes; 9 Sparks' Franklin, 398; 8 Bigelow's Franklin, 158.

tary, besides the writing and copying the papers relative to my common ministerial transactions, has had all those occasioned by my acting in the various employments of judge of admiralty, consul, purchaser of goods for the public, &c., &c., besides that of accepting the Congress bills, a business that requires being always at home, bills coming by post from different ports and countries, and often requiring immediate answers, whether good or not, and to that end, it being necessary to examine by the books, exactly kept of all preceding acceptances, in order to detect double presentations, which happen very frequently. The great number of these bills makes almost sufficient business for one person, and the confinement they occasion is such, that we can not allow ourselves a day's excursion into the country, and the want of exercise has hurt our healths in several instances.

The Congress pay much larger salaries to some secretaries, who, I believe, deserve them; but not more than my grandson does the comparatively small one I have allowed to him, his fidelity, exactitude, and address in transacting business being really what one could wish in such an officer; and the genteel appearance a young gentleman in his station obliges him to make requiring at least such an income. I do not mention the extraordinary business that has been imposed upon us in this embassy, as a foundation for demanding higher salaries than others. I never solicited for a public office, either for myself or any relation, yet I never refused one, that I was capable of executing, when public service was in question, and I never bargained for salary, but contented myself with whatever my constituents were pleased to allow me. The Congress will therefore consider every particle charged in my account distinct from the salary originally voted, not as what I presume to insist upon, but as what I propose only for their consideration, and they will allow what they think proper.

You desire an accurate estimate of those contingent expenses. I enclose copies of two letters which passed between Mr. Adams and me on the subject, and show the articles of which they consist. Their amount in different years may be found in my accounts, except the article of house rent, which has never yet been settled; M. de Chantmont, our landlord, having originally proposed to leave it till the end of the war, and then to accept for it a piece of American land from the Congress, such as they might judge equivalent. If the Congress did not intend all contingent charges whatever to be included in the salary, and do not think proper to pay on the whole so much, in that case I would humbly suggest that the saving may be most conveniently made by a diminution of the salary, leaving the contingencies to be charged, because they may necessarily be very different in different years and at different courts.

I have been more diffuse on this subject as your letter gave occasion for it, and it is probably the last time I shall mention it. Be pleased

to present my dutiful respects to Congress, assure them of my best services, and believe me to be, with sincere esteem, &c.,

B. FRANKLIN.

P. S.—As you will probably lay this letter before Congress, I take the liberty of joining to it an extract of my letter to the President, of the 12th of March, 1781, and of repeating my request therein contained relative to my grandson. I enclose, likewise, extracts of letters from Messrs. Jay and Laurens, which both show the regard those gentlemen have for him, and their desire of his being noticed by the Congress.\*

B. F.

\* The following are the extracts of the letters alluded to in this place:

EXTRACT OF A LETTER FROM JOHN JAY TO THE PRESIDENT OF CONGRESS.

MADRID, *April 25, 1781.*

The letters herewith enclosed from Dr. Franklin were left open for my perusal; the short stay of my courier at Paris not allowing time for copies to be made of the information conveyed in and with it.

I perceive that Dr. Franklin desires to retire; this circumstance calls upon me to assure Congress that I have reason to be perfectly satisfied with his conduct towards me, and that I have received from him all the aid and attention I could wish or expect. His character is very high here, and I really believe that the respectability he enjoys throughout Europe has been of general use to your cause and country.

JOHN JAY.

EXTRACT OF A LETTER FROM JOHN JAY.

MADRID, *April 21, 1781.*

By the letter from Dr. Franklin herewith enclosed, and which he was so obliging as to leave open for my perusal, I find he has requested permission to retire on account of his age, infirmities, &c. How far his health may be impaired I know not. The letters I have received from him bear no marks of age, and there is an acuteness and sententious brevity in them which do not indicate an understanding injured by years. I have many reasons to think our country much indebted to him, and I confess it would mortify my pride as an American if his constituents should be the only people to whom his character is known, and that should deny to his merit and services the testimony given them by other nations. Justice demands of me to assure you that his reputation and respectability are acknowledged and have weight here, and that I have received from him all that uniform attention and aid which were due to the importance of the affairs committed to me.

The affectionate mention he makes of his only descendant, on whom the support of his name and family will devolve, is extremely amiable, and flows in a delicate manner from that virtuous sensibility by which nature kindly extends the benefits of parental affection to a period beyond the limits of our lives. This is an affectionate subject, and minds susceptible of the finer sensations are insensibly led at least to wish that the feelings of an ancient patriot going in the evening of a long life, early devoted to the public, to enjoy repose in the bosom of philosophic retirement, may be gratified by seeing some little sparks of the affection of his country rest on the only support of his age and hope of his family. Such are the effusions of my heart on this occasion, and I pour them into yours from a persuasion that they will meet with a hospitable reception from congenial emotions.

JOHN JAY.

COLONEL JOHN LAURENS TO B. FRANKLIN.

LEAGUES W. OF ORTEGAL, *June 9, 1781.*

SIR: I snatch a moment to pay my last respects to your excellency, and to mention a matter which has occurred to me since my being on board. I have frequently re-



Franklin to Jay.\*

PASSY, *September 4, 1782.*

DEAR SIR: Mr. Oswald's courier being returned with directions to him to make the independence of America the first article in the treaty, I would wait on you, if I could, to discourse on the subject; but as I can not I wish to see you here this evening, if not inconvenient to you.

With great esteem, I have the honor to be, dear sir, your most obedient and most humble servant,

B. FRANKLIN.

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J. Adams to Livingston.†

THE HAGUE, *September 4, 1782.*

SIR: Your triplicate of March 5, No. 5, triplicate May 22, No. 6, duplicate May 29, No. 7, and duplicate of May 30, No. 8, together with the despatches for Mr. Dana, came to hand yesterday.

The judicious inquiries in that of March 5th are chiefly answered in the enclosed pamphlet, which I have caused to be printed in order to be sent into England, Scotland, and Ireland, as well as America. You will find most of your questions answered by great bodies of merchants, manufacturers, and others, in the first instance, and by the States of the several separate provinces in the next place, and lastly by their high mightinesses.

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flected upon the mention which your excellency has made of retiring from your present important station, and have never varied the opinion which I took the liberty of giving you once at the Count de Vergennes's, viz, that the best arrangement would be to give your excellency an active, intelligent secretary of the embassy, who might relieve you from the drudgery of office; and that your country should not be deprived of the advantages of your wisdom and influence. The difficulty hitherto has been to find a person properly qualified. The advantages which your grandson derives from his knowledge of the language and manners of the people, and his having been so long in your office and with your excellency, are very great. The prejudices which have been entertained against him may be removed by a personal introduction to Congress, especially if it is combined with rendering a popular service. I take the liberty of proposing to your excellency, therefore, if you can spare Mr. Franklin for the purpose, to commit to his care the second remittance of money, and to hasten his departure with that and as much of the public supplies of clothing, &c., as may be ready to accompany it. I am persuaded that in public bodies the want of a personal acquaintance is a great objection to appointing a man to any important office.

The *Engageante's* boat demands my letter. I have written in the greatest haste upon a subject which I hope your excellency will turn to public utility.

I am, &c.,

JOHN LAURENS.

\* 2 Sparks' Dip. Rev. Corr., 370; 9 Sparks' Franklin, 402; 9 Bigelow's Franklin, 163.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 634, with omissions and verbal changes; 7 J. Adams' Works, 616.

I wish the truth would warrant a more satisfactory account of ships prepared and preparing for sea. Those prepared are employed by concert with France in the North Sea, where they make a useful diversion, having lately obliged Lord Howe to detach a considerable number of ships and, the last accounts say, to go himself with four ships of the line in order to protect their trade from the Baltic, which has certainly retarded, possibly wholly prevented, the relief of Gibraltar. This, however, is not certain. I cannot assure Congress more than twelve Dutch ships of the line ready for sea. Some of this number are not in a good condition; not more than two or three can be depended on to be added in the course of this season.

As to the leading members of the great council, we must distinguish between the assembly of the deputies of the States-General and the assembly of the deputies of the States of Holland and West Friesland. The grand pensionary of Holland, who is always a member of the assembly of their high mightinesses, is constitutionally the most leading member. M. Van Bleiswick is the present grand pensionary. With him we have frequent conferences, and they have always been agreeable; but the situation of this minister is at present extremely critical and embarrassing. In former times, when there was no stadtholder or, at least when his authority was less extensive, the grand pensionaries of Holland have been in effect stadtholders. They have been a centre of union for all the provinces; but, being more immediately connected with and dependent on the province of Holland, they have been suspected by the other provinces to give too much weight to that, which has caused them to attach themselves to the stadtholders as a more impartial support to the whole states.

To speak candidly, a competition between these two great interests and these two high offices seems to have been the cause of the violent storms in this country; but, as the stadtholders have had the military power by sea and land at their disposal and by the pomp and splendour of a court have had the means of imposing more upon the nation, they have by degrees prevailed. At critical, dangerous times, tragical scenes have been exhibited, and Barneveldt's head was struck off at one time, Grotius escaped by a sort of miracle, and the De Witts were torn in pieces, it is scarcely too bold to say, by the open or secret commands and connivance of the stadtholders. The stadtholder's power since the year 1748 until this year has been so augmented and the grand pensionary's so diminished that M. Van Bleiswick is to be pitied. More is expected of him than he can perform. He is between two fires, the stadtholderian party on the one side and the republican on the other. The consequence is that he manages both as well as he can; so extremely cautious and reserved, never explains himself but in cases of absolute necessity, and never attempts to assume the lead. If he were to attempt to act the part of some former grand pensionaries, the consequence would be, either he would not be supported and would perish

like Barnevelt or De Witt, or, being supported, the stadtholdership must give way and the prince fly to his estates in Germany. M. Van Bleiswick is a great scholar, linguist, natural philosopher, mathematician, and even physician, has great experience in public affairs, and is able and adroit enough in the conduct of them; but, not having a temper bold and firm enough, or perhaps loving his ease too much, or not having ambition, or patriotism, or zeal, or health enough to assume a great and decided conduct, he is fallen in his reputation. They suspect him of duplicity, and, in short, measures are prepared and brought into the States of Holland without his consent or previous knowledge, and there carried, a thing unknown until these days.

Another great officer of state who has constitutionally influence in the assembly of their high mightinesses is the secretary, M. Fagel. This gentleman is of a family which has ever been zealously attached to the stadtholder, and consequently to England and strongly prejudiced against France. His ancestor was made grand pensionary in place of the murdered and immortal De Witt, and from that time to this the family have been invariably friends to the Princes of Orange and to England and enemies to France. The present secretary does not belie his lineage. He is supposed to be the least satisfied with the new conventions with us and with France of any man. I have had several conferences with him. He is a venerable man of seventy, is polite, and has always been complaisant enough to me, but Congress will easily see from this sketch of his character that he is not the man for me to be intimate with. There is a new president of their high mightinesses every week. I have had conferences with several, M. Ijassens, M. Van Citters, M. Boreel, M. Van den Sandheuvel, and the Baron Lynden de Hemmen; but this continual variation prevents any one from acquiring esteem and weight from the office, so that they are to be considered only as common members of the assembly.

There is a nobleman, the Baron de Lynden, who belongs to the Province of Zealand, and who was formerly ambassador in Sweden and afterwards appointed to Vienna, but refused to go. I have had the pleasure of a great deal of conversation with him, and his advice has been useful to me. He is a sensible and worthy man, and his sentiments are very just. He has been now for some months in Zealand, and the world has seen several striking effects of his presence in that province. He is much in opposition to the Duke of Brunswick, and consequently to the court, to whose cause this nobleman's rank, former offices, and connexions have done much damage. There are several other members of the assembly of their high mightinesses that I have some acquaintance with, the Baron Van Schwartzembourg, M. Kuffeler of Friesland, M. Brantzen of Guelderland, and others whom it is not necessary to name at present. But Holland, being full half the nation, the assembly of that province gives always, sooner or later, the tone to the whole. The pensionaries of the cities are the principal speakers

and most active members of this assembly, for which reason I have cultivated the acquaintance of these gentlemen and will continue to do so more and more. There are three among them with whom I have been the most conversant, M. Gyzelaer of Dort, M. Visscher of Amsterdam, and M. Van Zeeberg of Haerlem.

M. Gyzelaer is a young gentleman of about thirty, but of a great candor and activity, a candor and prudence, which, if his health is not too delicate, must make him the man of the first consideration in this republic. I am happy in a friendly and familiar acquaintance with him, and shall certainly continue it, because his abilities and integrity, his industry, his great and growing popularity, and his influence in the assembly of the States of Holland, as well as in all the provinces and cities, will render him an important man in spite of all the opposition of the court.

Nevertheless, although I cultivate the friendship of the patriots, I shall not give offence to the court. The friendship of the court we never had and never shall have until we have that of England. This gentleman's friendship has already been of vast service to the cause of Congress, as well as to me, and will continue to be so. There is no intelligence in a political line which I ought to know but what I can easily obtain in this way. To detail the conversations would be to relate all the measures taken or proposed relative to the negotiations for a separate peace, to the concert with France, the general peace, &c., as well as from step to step, the advancement to the acknowledgment of our independence. There are some of these conversations which ought never to be put upon paper until the measures and events which are the fruit of them have taken place.

M. Visscher is a respectable character, an amiable man, and steady in the good system. With him also I have been invariably upon good terms; but I can not but lament the absence of M. Van Berckel, an excellent character, of solid judgment, sound learning, great experience, delicate honor, untainted virtue, and steady firmness, sacrificed to the most frivolous whimsies and miserable intrigues of private pique, the jealousy and envy of weak, I can not here add wicked, old age, and individual ambition. Van Berckel and Visscher together would be noble ministers for Amsterdam; but the elder of the "*Par nobile fratrum*" is wanting.

M. Van Zeeberg is another excellent character, of great reputation as a lawyer, a man of integrity, and a patriot, with whom I have been, and am, upon the best terms. It is odd enough that most of these pensionaries have been deacons of the English church in this place, Dr. M. Lane's. *En passant*, young lawyers seek an election to be deacons in the churches as a first step to advancement in their profession, as well as in the state. M. Van Berckel, M. Van Zeeberg, and others have been deacons of this church, yet neither speaks English; nor is any of them less an enemy to England for having passed through this stage in the career of life, and I shall be the more so for hearing once a week a

admirable *moral* lecture, in the English language, from one of the best preachers in Europe.

I hope this will be sufficient at present as a sample of sketches of characters that you demand of me among the leading members of the assemblies. I might mention several burgomasters, as M. Hooft, of Amsterdam, Van Berckel of Rotterdam, Van —, of Haerlem, &c., &c., &c.; but I must not give too much at once.

You inquire whether there is no intercourse between the French ambassador and me. I answer, there is a constant, uninterrupted harmony and familiarity between the Duc de la Vauguyon and his family and me. I visit him and he visits me. I dine with him, and he and his family dine with me as often as you can wish; and he is ever ready to enter into conversation and consultation with me upon public affairs. He is an amiable man, whom I esteem very much. He is able, attentive, and vigilant, as a minister; but he has been under infinite obligations to the United States of America and her minister for the success he has had in this country. Nothing on this earth but the American cause could ever have prevented this republic from joining England in the war, and nothing but that well-hove harpoon iron thrown by a Cape Cod whaler, the memorial of the 19th of April, 1781, and the other innumerable measures taken in consequence of it by the same hand, could ever have prevented this republic from making a separate peace with England. The American cause and minister have done more to introduce a familiarity between the French ambassador and some leading men here than any other thing could; and if anybody denies it, it must be owing to ignorance or ingratitude. It is, at the same time, true, and I acknowledge it with pleasure and gratitude, that our cause could not have succeeded here without the aid of France. Her aid in the East Indies, the West Indies, and upon the barrier frontiers, her general benevolence, and concert of operations, as well as the favorable and friendly exertions of her ambassador, after the decisive steps taken by me, contributed essentially to the accomplishment of the work. I have an opportunity of meeting at his house, too, almost as often as I desire, the other foreign ministers; but of this more hereafter.

You desire also to know the popular leaders I have formed acquaintance with. The two noblemen, the Baron Van der Capellan de Pall, of Overysse, and the Baron Van der Capellan de Marsch, of Guelderland, I have formed an acquaintance with; the former, very early after my first arrival. I have had frequent and intimate conversations with him, and he has been of the utmost service to our cause. His unhappy situation and unjust expulsion from his seat in government, the opposition of the court and of his colleagues in the regency, make it delicate to write freely concerning this nobleman. He has an independent fortune, though not called rich in this country. His parts and learning are equal to any, his zeal and activity superior. I dare not say in what

a multitude of ways he has served us; posterity will, perhaps, know them all.

Two years ago, upon my first arrival at Amsterdam, I fell acquainted at M. Van Stapborst's, with M. Calkoen, the first gentleman of the law at Amsterdam; a man of letters, well read in law and history, and elegant writer. He desired to be informed of American affairs. I gave him a collection of our constitutions, and a number of pamphlets and papers, and desired him to commit to writing his questions. In a few days he sent me thirty questions in Dutch, which show him to be a man of profound reflection and sagacity. I got them translated, and determined to seize the opportunity to turn his attention to our affairs, and gain his confidence. I wrote him a distinct letter upon every question and endeavored to give him as comprehensive an insight into our affairs as I could.\* He was much pleased with the answers, and composed out of them a comparison between the American and Batavian revolutions, which he read with applause to a society of forty gentlemen of letters who meet in a club at Amsterdam. I lent him Burgoyne and Howe's pamphlets in vindication of themselves, which he communicated also. By this means, this society, whose influence must be very extensive, were made hearty converts to the opinion of the impracticability of a British conquest and the certainty of American success; points very dubious in the minds of this nation in general when I first came here, as I can easily prove. With this gentleman I have ever preserved an agreeable acquaintance. It was he who drew up the petitions of the merchants of Amsterdam in favor of American independence.

About the time of presenting my memorial I became acquainted with another lawyer at the Hague, M. Van Zoon, who has been also from time to time active in our favor and drew up the petitions of Rotterdam.

The gazetteers in this country are not mere printers, they are men of letters; and as these vehicles have a vast influence in forming the public opinion they were not to be neglected by me, whose only hopes lay in the public opinion to resist the torrent of a court and government. I therefore became naturally acquainted with the family of Luzacs, in Leyden, whose gazette has been very useful to our cause and who are excellent people. M. John Luzac drew up the two petitions of Leyden to their regency.

At Amsterdam my acquaintance with M. Cerisier enabled me to render the *Politique Hollandois* and the French *Gazette* of Amsterdam useful on many occasions; and by means of one friend and another, particularly M. Dumas, I have been able to communicate anything that was proper to the public by means of the Dutch gazettes in Amsterdam.

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\* These letters were afterwards printed under the title of "Twenty-six Letters upon interesting Subjects, respecting the Revolution in America."



Haerlem, and Delft. By means of these secret connexions with printers and writers, I have had an opportunity to cause to be translated and printed many English pamphlets tending to elucidate our affairs, particularly those valuable documents of Howe and Burgoyne, than which nothing has contributed more to fortify our cause. They are considered as the decisive testimonies of unwilling witnesses and cruel enemies. With these persons, and others whom I could not have conversations with, I have had correspondence as frequent as my time would allow.

At Amsterdam I was acquainted with several merchantile houses, M. de Neufville & Son, M. Crommelin & Sons, Messieurs Van Staphorsts, De la Lande & Fynjè, Madame Chabanel & Son & Nephew, M. Hodgson, M. Van Arp, M. Teagler, and several others who, in their several ways, were useful to our affairs.

I come now to the most difficult task of all, the description of the foreign ministers. The minister of the emperor is ninety years of age and never appears at court or anywhere else. I have never seen him nor his secretary. The ministers from Russia, Sweden, Denmark, Portugal, Sardinia, and Liege I see every week at court, where I sup regularly when the others do, though it is very visible that I am not the guest the most favored by the prince. I dine with them all sometimes at the French ambassador's and Spanish minister's, but have not dined at any of their houses nor they at mine. Not one of them would dare to give or receive an invitation, except France, Spain, and Liege. The minister from Sweden, the Baron d'Ehrensward, is lately removed to Berlin, to my great regret, as he appeared to me a very good character, and behaved very civilly to me several times when I met him at court and at the French ambassador's. The secretary of legation does the business now, M. Van Arp, who appears a worthy man and is not afraid to converse with me. The minister from Prussia, M. de Thulemeyer, is very civil, attacks me (as he expresses it) in English, and wishes to meet me on horseback, being both great riders; will converse freely with me upon astronomy, or natural history, or any mere common affairs; will talk of news, battles, sieges, &c., but these personages are very reserved in politics and negociations. They must wait for instructions.

M. de St. Saphorin, the envoy from Denmark, is a personage of very odd behavior, a Swiss by birth, but an open and not very discreet advocate for England. It should be observed that the Queen dowager of Denmark is sister to the Duc Louis de Brunswick; and, as the king is not a distinguished character among crowned heads, she is supposed to have much influence at court, and the minister here may be complaisant to her. But neither that power nor its minister are able to do more than influence a gazette or two to publish some very injudicious speculations. I am not the only foreign minister that converses or corresponds with gazetteers, though at least it is certain that I never give them money. I hope I am not singular in this. This gentleman has

been much with another since his arrival, M. Markow, the adjoint minister from Russia, another advocate for the English, without being able to do them any service. He was never more than a secretary of legation before. He has been here formerly in that character, and in the partition of Poland. He was preceded here by reports of his great talents at negotiation and intrigue, and it was said that he had never failed of success; but his residence here has made no sensation or impression at all. He talks in some companies indiscreetly in favor of England, but is not much attended to. His behavior to me is a distant bow, an affected smile sometimes, and now and then a "*Comment vous portez-vous?*" One evening at court, when the northern epidemy was here, he put me this question after supper, in great apparent good humor. "*Terriblement affligé de l'influença,*" says I. "*C'est en Angleterre,*" says he, laughing, "*qu'on a donné ce nom, et il ne feroit point du mal si vous voudriez vous laisser gagner un peu par l'influence de l'Angleterre.*" I had at my tongue's end to answer, "*C'est assez d'être tourmenté de l'influence qui vient de Russie!!*" but I reflected very suddenly, If he is indiscreet I will not be; so I contented myself to answer, very gravely, "*Jamais, Monsieur, jamais.*"

The Prince de Gallitzin, his colleague, is of a very different character, a good man and thinks justly; but his place is too important to his family to be hazarded; so he keeps a great reserve and behaves with much prudence. Knowing his situation, I have avoided all advances to him, lest I should embarrass him. The Sardinian minister is very ready to enter into conversation at all times, but his court and system are wholly out of the present question. The Portuguese envoy extraordinary, D. Joas Theolonico d'Almeida, is a young nobleman glittering with stars, and, as they say, very rich. He has twice, once at court and once at the Spanish minister's, entered familiarly into conversation with me upon the climates of America and Portugal, and the commerce that has been and will be between our countries, and upon different subjects; but there is no appearance that he is profoundly versed in political subjects, nor any probability that he could explain himself to me until all the neutral powers do, of whom Portugal is one.

The Spanish minister, D. Llano, the Count de Sanafée, has at last got over all his punctilios, and I had the honor to dine with him, in company with all the foreign ministers and four or five officers of rank in the Russian service, on Tuesday last. He and his secretary had dined with me some time ago. I shall, therefore, be upon a more free, if not familiar, footing with him in the future. He has indeed been always very complaisant and friendly, though embarrassed with his punctilios of etiquette. There is one anecdote that, in justice to myself and my country, I ought not to omit. The first time I ever saw him was at his house, a day or two after my reception by the States. He sent for me. I went and had an hour's conversation with him. He said to me, "Sir, you have struck the greatest blow of all Europe. It is the greatest

blow that has been struck in the American cause, and the most decisive. It is you who have filled this nation with enthusiasm ; it is you who have turned all their heads." Next morning he returned my visit at my lodgings, for it was before my removal to this house. In the course of conversation upon the subject of my success here, he turned to a gentleman in company, and said to him, " This event is infinitely honorable to Mr. Adams. It is the greatest blow (*le plus grand coup* which could have been struck in all Europe. It is he who has filled this nation with enthusiasm ; it is he who has disconcerted the admirers of England (*Anglomanes*); it is he who has turned the heads of the Hollanders. It is not for a compliment to Mr. Adams that I say this, but because I believe it to be his due."

I wish for some other historiographer, but I will not, for fear of the charge of vanity, omit to record things which were certainly said with deliberation and which prove the sense which the ministers of the house of Bourbon had of the stream of prejudice here against them and of the influence of America and her minister in turning the tide.

I hope, sir, that these sketches will satisfy you for the present; if not, another time I will give you portraits at full length. In the meantime, I have the honor to be, &c.,

JOHN ADAMS.

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Laurens to the President of Congress.\*

NANTES, *September 5, 1782.*

SIR: I had the honor of writing to Congress from Amsterdam on the 30th of May, by Captain Bacon. Copies of that address were sent by the vessels of Captain Briggs and Captain Smedly, and a third committed to the care of Mr. Moses Young, to be despatched by a cutter from Ostend. At that time I was in a deplorable state of health ; and am now (after the practice of every proper means of abstemious regimen, bathing, medicine, and bleeding) but beginning to recruit, being still extremely weak and feeble. Notwithstanding such ill-health, I hastened in the month of July from the south of France, even at the hazard of my life, to this port, with a view of embarking for America. While I was employed seeking for a proper vessel, Mons. Labouchère suggested the imminent danger of a second capture, and the train of evil consequences, adding that I was entitled to a safe conduct from England to one of the United States in return for the exchange of Lord Cornwallis at his own door ; and for that purpose recommended a demand upon the court of London.

The propriety of this gentleman's reasoning was apparent ; the danger of capture was marked in every newspaper by accounts of the havoc on both sides the Atlantic by British cruisers upon American vessels.

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\* MSS. Dep. of State ; 1 Sparks' Dip. Rev. Corr., 723.

I consulted other persons, who unanimously concurred in Mons. Labor chère's opinion and advice. Wherefore, I requested certain friends in London to make the necessary application on my behalf for permission to re-enter Great Britain to embark at Falmouth for New York, and for a passport to proceed thence to Philadelphia, not in terms of prayer from me, but by a representation of right to be submitted for consideration. This day I have received letters from London, importing that an application had been made, that Lord Cornwallis in particular had interested himself in the measure, and that a proper passport would soon be transmitted to me.

Dr. Franklin writes to me under the 19th of August: "Though we are very sensible if you could get well to America you might be of great service to the public, yet we think the hazard is too great, as it might be winter before you could come upon the coast, and perhaps at this juncture you might be equally useful in England; on these considerations we agreed to advise your return thither." This advice I intend to pursue, and as I ardently wish to be in America and present myself to Congress, I shall, if my health will permit, embark in the November packet, or otherwise defer the voyage to March or April, persuaded that neither my passing through England, nor even a few months' necessary, perhaps unavoidable, residence in that kingdom can possibly work any detriment to my country. I am therefore confident of the approbation of Congress.

Since my discharge from restraint in England, Dr. Franklin has very cordially pressed me to take from him a supply of money for my expenses,\* but from my knowledge of the state of our public finances I

\* In his letter of May 30th, *supra*, Mr. Laurens insinuates that Dr. Franklin had neglected him while he was in the tower. The following letter and extract, written by Dr. Franklin, will show that this suspicion was groundless:

TO SIR GREY COOPER, BARONET, SECRETARY TO THE TREASURY OF GREAT BRITAIN.

PASSY, November 7, 1780.

SIR: I understand that Mr. Laurens, an American gentleman for whom I have a great esteem, is a prisoner in the tower, and that his health suffers by the closeness and rigor of his confinement. As I do not think that your affairs receive any advantage from the harshness of this proceeding, I take the freedom of requesting your kind interposition to obtain for him such a degree of air and liberty on his parole, or otherwise, as may be necessary for his health and comfort. The fortune of war which is daily changing, may possibly put it in my power to do the like good office for some friend of yours, which I shall perform with much pleasure, not only for the sake of humanity, but in respect to the ashes of our former friendship.

With great regard, I have the honor to be, &c.,

B. FRANKLIN.

On the 14th of May, 1781, he writes to the President of Congress: "Agreeable to the vote of Congress, I have requested the assistance of this (the French) court for obtaining the release of Mr. President Laurens. It does not yet appear that the thing is practicable. What is the present situation of that unfortunate gentleman may be gathered from the enclosed letters."

The letters here alluded to are one from Sir Grey Cooper, dated November 29th,

have refused to lessen them, since from the fragments of my own funds I shall be able to support myself in a frugal style while I am unfortunately detained on this side of the water.

I dare not presume, in my present private character, to give an opinion on the present state and prospect of our public affairs; but I entreat Congress to be assured that my endeavors, even in this contracted sphere, have been exerted on proper occasions and I hope with some good effect for promoting the honor and interest of the United States. I have enjoyed a happy correspondence with men of liberal sentiments in England, as well as with the American ministers at Paris and at The Hague. As it is possible I may be detained in Europe through the ensuing winter, should Congress have any commands for me, letters via Nantes or Bordeaux, directed to the care of Madame Babut Labouchère at this port, will obtain the quickest conveyance by way of Holland to the care of Mr. Adams. Under cover with this will be forwarded at the request of Mr. Adams a copy of Mr. Fitzherbert's full power to treat for peace.

With the highest respect and regard, I have the honor to be, &c.,  
HENRY LAURENS.

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Luzerne to Livingston.\*

[Translation.]

PHILADELPHIA, *September 5, 1782.*

SIR: A resolution of Congress of the 3d instant has been communicated to me, containing the offer which that assembly has been pleased to make of the ship *America*, to be joined to his majesty's fleet. I have the honor of sending you a note in answer to this communication. Whatever may be the result of this offer, I entreat you, sir, to be persuaded that my court will be very sensible of the kindness of it, and as an individual I am very desirous that this vessel should join the fleet of the king.†

I am, with the most sincere respect, sir, &c.,

LUZERNE.

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1780, and another from Charles Vernon, lieutenant-governor of the tower of London, dated November 27th. They may be found *supra* under these dates.—SPARKS.

As will be seen by previous letters, Franklin not only interposed in his behalf, but sent him funds. See letters above cited: Franklin to Hodgson, Nov. 19, 1781; to Vaughan, Nov. 22, 1781.

\* 6 Sparks' Dip. Rev. Corr., 80.

† IN CONGRESS, *September 3, 1782.*

“Whereas the *Magnifique*, a seventy-four gun ship belonging to the fleet of his most christian majesty commanded by the Marquis de Vandreuil, has been lately lost by accident in the harbor of Boston, and Congress are desirous of testifying on this occasion to his majesty the sense they entertain of his generous exertions in behalf of the United States:

“*Resolved*, That the agent of marine be, and he is hereby, instructed to present the *America*, a seventy-four gun ship, in the name of the United States, to the Chevalier de la Luzerne, for the service of his most christian majesty.”

Livingston to Franklin.\*

PHILADELPHIA, *September 5, 1782.*

SIR: Having written to you lately, I should not again trouble you so soon were it not necessary to remind you that your last letter is dated in March, since which there have been frequent arrivals from France, and since which, too, we have reason to believe, the most interesting events have taken place in Europe.

We learn from private letters and common fame that Mr. Adams was received by the united provinces in his public character on the 19th of April. We have yet no account of this interesting event, nor of the measures he has pursued to accomplish our other objects in Holland. Mr. Laurens, it is said, has been liberated, has travelled to Holland and to France, has entered upon the execution of his trust, but has left us to gather events so interesting to him and to us from private letters and the public prints. Mr. Jay tells us on the 24th of May that he is about to set out for Paris and that he presumes Dr. Franklin has assigned the reasons for this step. Doctor Franklin has told us nothing.

As to Mr. Dana, if it were not for the necessity of drawing bills in his favor, we should hardly be acquainted with his existence. It is commonly said that republics are better informed than monarchs of the state of their foreign affairs and that they insist upon a greater degree of vigilance and punctuality in their ministers. We, on the contrary, seem to have adopted a new system. The ignorance in which we are kept of every interesting event renders it impossible for the sovereign to instruct their servant, and of course forms them into an independent privy council for the direction of their affairs, without their advice or concurrence. I can hardly express to you what I feel on this occasion. I blush when I meet a member of Congress who inquires into what is passing in Europe. When the General applies to me for advice on the same subject, which must regulate his movements, I am compelled to inform him that we have no intelligence but what he has seen in the papers. The following is an extract of his last letter to me: "But how does it happen that all our information of what is transacting in Europe should come through indirect channels or from the enemy? or does this question proceed from my unacquaintedness with facts?"

But let me dismiss a subject which gives me so much pain, in the hope that we shall in future have no further cause of complaint.

Since the evacuation of Savannah the enemy have, by the general orders contained in the enclosed papers, announced the proposed evacuation of Charleston. We are in daily expectation of hearing, therefore, that tranquillity is restored to the Southern States. Several circumstances lead us to suppose that they entertain thoughts of abandoning New York some time this fall. You *only* can inform us whether this step has been taken in consequence of any expectations they enter-

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 370, with verbal changes.



tain of a general peace or with a view to pursue the system which the present administration appears to have adopted, when they so loudly reprobate the American war; and whether, by withdrawing their troops from hence, they only mean to collect their force and direct it against our allies. This knowledge would render such an alteration in our system necessary that it affords us new reasons for regretting our want of information on these important points.

The Marquis de Vaudreuil has unfortunately lost the *Magnifique*, sunk by running on a rock in the harbor of Boston, where he is now, with the remainder of his fleet, except three refitting at Portsmouth, consisting of twelve sail of the line. This has enabled Congress to show their attention to his most christian majesty and their wish to promote his interests as far as their circumstances will permit by presenting him the *America*, of seventy-four guns. Enclosed are their resolves on that subject and the answer given by the minister of France. The ship is in such a state that she may by diligence be refitted for sea in about two months; and from the accounts I hear of her, she will, I believe, prove a fine ship. The general is collecting the army. The last division of the French troops marched from here this morning. When collected they will, I presume, repair to their old post, at the White Plains, and perhaps endeavor to accelerate the departure of the enemy.

I am sorry you did not pursue your first design and enlarge in your letter upon the subjects which you imagined would be discussed in the negociations for peace. It might have changed our sentiments, and altered our views on some points. Two things are of great moment to us, one of which at least would meet with no difficulty if France and England understand their true interests; I mean the West India trade and the right to cut logwood and mahogany. Without a free admission of all kinds of provisions into the islands our agriculture will suffer extremely. This will be severely felt at first, and when it remedies itself, which it will do in time, it must be at the expense of the nations that share our commerce. It will lessen the consumption of foreign sugars, increase the supplies which the poorer people among us draw from the maple, &c., and, by reducing the price of provision and rendering the cultivation of lands less profitable, make proportionable increase of our own manufactures and lessen our dependence on Europe. This will, I must confess, in some measure check our population, and so far I regard it as an evil. The merchants and farmers, if precluded at a peace from the advantages which this commerce gave them while connected with England, ———.\* Then a variety of arguments on this subject, arising as well from the general interests of France as from her political connection with us, might be urged to show the wisdom of adopting the same liberal sentiments on this point, which has of late distinguished her in so many others. But, if she should not be able to

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\* The sense is broken here, owing to the omission of three lines in cypher, the key to which could not be found.—SPARKS.

overcome her ancient prejudices, I believe they will be found to be less influence on the British, whom you will press earnestly on this head. Besides the general interest of the kingdom, there is with them a powerful West India interest to plead in behalf of a free importation of provisions into their islands. If I mistake not, the present wishes of the nation, as well as the professions of administration, lead to every measure, which may wear away our present resentments and strengthen the connexion between us and them. [Here follow four lines of cipher.]

The logwood trade we have some claim to, from our continued exercise of the right. Nor can England pretend to exclude us from it without invalidating her own title, which stands upon the same ground. Spain admits the right in England she gains nothing by excluding us, since in proportion as she diminishes our commerce in that article she increases that of Britain. Other manufacturing nations are interested in exciting a competition between us at their markets.

When you write to me, be pleased to be very particular in your relation of every step which leads to a negotiation. Everything of this kind must be interesting. [Here follow nine lines of cipher.]

I have the honor to be, sir,

ROBERT R. LIVINGSTON.

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Livingston to Dumas.\*

PHILADELPHIA, *September 5, 1782.*

SIR: It was not till within these few weeks that I received your favor of the 4th of April last, together with the interesting paper it enclosed, since which time we are informed that your prediction relative to the reception of Mr. Adams has been verified. It would have given me great pleasure to have learned so important an event, with the steps that immediately led to it from your pen. Your usual punctuality induces me to believe that your letters have been unfortunate, since I can not ascribe this omission to neglect. When you do me the honor to write again, be pleased to enter minutely into the subject, since everything that relates to it is not only important in itself but will be much the object of curiosity hereafter that it should have a place among our archives.

It would be a great advantage to you and to us if you maintain such a correspondence with your seaports as would enable you to avail yourself of every opportunity of writing to us, as it would give your letters the charms of novelty, and preserve to you the character of attention, and to us, as it would enable us to confirm or contradict the accounts that we continually receive by private letters, or through the enemy's papers, some time before we have your relation of them.

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr. 354.

The enemy have at length evacuated Savannah, and in all probability Charleston by this time; since, on the 7th of August, they gave notice in general orders for the Tories to prepare themselves for such an event. Their fleet, consisting of fifteen sail-of-the-line, arrived yesterday at Sandy Hook. The French fleet, under the Marquis de Vaudreuil, had arrived some time before at Boston, where he unfortunately lost one of his ships, which struck upon a rock, and sunk in the harbor. Congress, willing to testify their sympathy in this misfortune, have presented the *America*, a ship of seventy-four guns, to his most Christian majesty. She is in such a state that she can in a short time be fitted to join his fleet.

We wait with the utmost impatience some account from Europe of the state of the negociations for a general peace.

The caution of the enemy in keeping within their posts will probably render this an inactive campaign, though we never had a finer or better appointed army than at present.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Oswald to Franklin.\*

PARIS, *September 5, 1782.*

SIR: In consequence of the notice I have just now had from Mr. Jay of your desire of an extract from my last letter from the Secretary of State, regarding the proposed treaty on the subject of American affairs, and my authority in relation thereto, I take the liberty to send the same enclosed, which, together with the powers contained in the commission, which I had the honor of laying before you and Mr. Jay, I am hopeful will satisfy you of the willingness and sincere desire of his majesty to give you entire content on that important subject.

This extract I would have sent before now, if I had thought you wished to have it before I had the honor of waiting on you myself; which was only delayed until I should be informed by Mr. Jay that you were well enough to see me upon business.

I heartily wish you a recovery of your health, and am, with sincere esteem and regard, sir, your most obedient, humble servant,

RICHARD OSWALD.

Dana to Livingston.\*

No. 5.

ST. PETERSBURG [*August 23*], *September 5*, 1782.

SIR: Though there is now no danger of our suffering from the misrepresentations of the British, and our independence may be considered as established beyond all question, yet her imperial majesty, still entertaining the expectation of mediating at the general peace, every measure which may possibly be deemed an obstacle to that end will be studiously avoided. It is not, therefore, to be expected that any application of ours would meet with the desired success, while her imperial majesty continues to tender her mediation. This has all along been my idea of the matter, and if I had not received the further instructions of Congress contained in your letter, I should not have attempted to assume my public character under such circumstances.

But I must confess, at the same time, I should have risked the measure the first moment I saw the mediation given up by her majesty, because I did not view the United States as humble supplicants at this court, as they were not seeking aids from her majesty, and had nothing to ask but what they intended to give an ample equivalent for. And I did not consider that the real honor and dignity of the United States would be more exposed, even by her majesty's declining to accept our propositions, and by my immediate retirement from her court in that case, than they would be exposed to by my long residence here (no such cause as is mentioned existing) in the character of a private citizen of the United States, when the event would show that I had all the while a commission in my pocket as their public minister. You will not conceive, sir, that I mean to question the propriety of the orders of Congress which you have communicated to me. I am sensible it is my duty to obey, and not to dispute their commands, and I am very happy to have received them in such clear and explicit terms.

I beg leave to observe that when Congress ordered my commission and instructions to be made out they seem to have misapprehended the nature of the confederation proposed by her imperial majesty to maintain the freedom of commerce and navigation. My commission and instructions are in part founded upon the supposition that her imperial majesty, in her declaration of February 28th, 1780, had invited both the belligerent and neutral powers to enter into a general convention for that purpose, and authorise and direct me to accede to the same (if invited thereto) on the part of the United States, whereas that declaration is in the nature of a notification to the belligerent powers only, and contains a complaint of the interruption the commerce and navigation of the neutral nations, and of her own subjects in particular, had suffered from the subjects of the belligerent powers, in violation of the rights of neutral nations, sets forth and claims those rights, and

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 633.

declares that to maintain them, to protect the honor of her flag, &c., she had fitted out the greatest part of her marine forces. These violations, it is said in it, ought to excite the attention of all neutral powers. In pursuance of this sentiment a copy of the declaration was communicated to the courts of Stockholm, Copenhagen, Lisbon, and to the States-General; in which communication they are invited to make a common cause of this business with her imperial majesty, who adds that, if to establish this system on a solid foundation the neutral powers above mentioned would open a negociation and enter into a particular convention, she would be ready to come into it.

This is the only passage I have been able to find in all the acts relative to this subject which gives the least idea of a Congress or general negociation. No general negociation has ever been opened in consequence of this intimation, and if there had been the belligerent powers, I conceive, could have taken no part regularly in it or in the particular conventions which might have been the result. They had only to make their several answers to the declaration which her imperial majesty made to them, as they have done. The marine convention which was afterwards first entered into by her imperial majesty and the king of Denmark, and which has served as a basis for all the others, being nothing more than an association to maintain their rights as neutral powers, no formal accession can be made to such a confederation on the part of the United States till they cease to be a belligerent power.

Viewing the matter in this light and knowing that the resolutions of Congress have long since been communicated to her majesty by Mr. Adams, through her minister at The Hague, I have not communicated them, though he thought it was the intention of Congress I should do it on my arrival here. I hope, sir, you will favor me with the sentiments of Congress upon this subject by the earliest opportunity, that I may know not only whether I am mistaken in my opinion about it, but whether my conduct meets with their approbation.

It is proper to advise Congress that there is a fixed custom at this court that every power entering into any treaty with her imperial majesty must pay six thousand roubles to each of her principal ministers, that is, to four of them, making twenty-four thousand in all; reckoning them upon an average of exchange upon London at forty-five pence sterling, makes £4,500, if I mistake not. This sum has been paid by all the neutral powers who have acceded to her marine convention. If, therefore, the time should ever arrive for me to make any treaty here, it will be indispensably necessary Congress should enable me to advance that sum upon the execution of each treaty. I make no other comment upon this practice than that I hope it may never find its way into our country.

I was too much pressed for time when I wrote you last to acquaint you that Portugal had acceded to the neutral confederation. This should not be considered as a mere voluntary act on the part of Portugal, for

Portugal sent on hither, in the course of last winter, a consul in expectation of forming a commercial treaty, which her majesty declined unless Portugal would accede to the neutral confederation. The commercial treaty is not yet finished. It seems to be the present determination of her majesty not to grant any special commercial favors to any nation, but to make treaties with all upon equal principles. The treaty with Britain, which will expire on the 20th of June, 1786, I am assured is not likely to be renewed, so that that nation will presently lose the benefits derived from a kind of monopoly which they have long enjoyed here.

You acquaint me that Congress have ordered the salaries of all their foreign ministers to be paid in America and that you shall transmit bills to Dr. Franklin, upon whom they are to draw quarterly. I shall attend to this new arrangement in future. I wish you would be pleased to inform me in your next whether Congress have taken into consideration the questions I stated in my letter (No. 6) of the 24th of March, 1781, relative to my salary, and what has been done upon it. I am inclined to think, from the concluding paragraph of the preamble to my instructions, that Congress supposed "the diplomatic order in which I am placed by my commission" was inferior to that in which their other ministers in Europe were placed by their commissions. That paragraph seems to have been taken from Vattel's Law of Nations, where he treats of the several orders of public ministers. He supposes a great difference in point of ceremony or etiquette, and says that ministers plenipotentiary are of much greater distinction than simple ministers. In both these suppositions he is certainly mistaken, at least as to this court, where they are treated in the same manner in every respect. Indeed, envoys extraordinary, and extraordinary ministers plenipotentiary, and ministers simply so named, being all in the second class of public ministers and of equal rank, are treated in the same manner. No distinction is made between them on account of their different titles.

Precedency among ministers of the same class is not settled here throughout. The general rule of adjusting here and elsewhere is the relative rank of their respective masters or sovereigns. No minister, for instance, of the second class would dispute precedency with a minister of the emperor of the same class; but we have seen a minister of the present empress claim precedency of a minister of France of the same class, though generally the ministers of France have been in possession of the place next to the ministers of the emperor. This dispute has left the matter of precedency among ministers of the same class much at loose here, where indeed they are not much troubled about etiquette of any sort. Each court has its particular usage in such cases, and no good information is to be drawn from any general treatises upon the subject.

I have the honor to be, &c.,

FRANCIS DANA.



Adams to Livingston.\*

THE HAGUE, *September 6, 1782.*

SIR: In your letter of 5th March you ask "whether this power has entered into any treaty with France since the war, and whether any such thing is in contemplation?"

They have made no treaty, but a convention concerning recaptures, which you must have seen in the papers. The East India Company have concerted operations with France in the East Indies, and the prince, by the resolution of the states, has concerted operations in the European seas for this campaign, and the city of Amsterdam has lately proposed in the States of Holland to renew the concert for next year, and to revive an old treaty of commerce with France. In my letter of the 18th August I have sent you a copy of the instructions to their ministers for peace, "not to make peace, truce, or armistice but with the simultaneous concurrence of all the belligerent powers," among whom the United States of America are certainly one in the sense and meaning of their high mightinesses.

You observe, sir, "that France is interested with us in procuring a public acknowledgment of our independence." You desire me to write freely, and my own disposition inclines me to do so. This is a delicate subject and requires to be cautiously handled. Political jealousy is very different from a suspicious temper. We should contemplate the vices naturally allied to the greatest virtues. We should consider the fevers that lie near a high state of health. We should consider the maxim that is laid down by all the political writers in the world, and the fact that is found in all histories, "that in cases of alliance between unequal powers almost all the advantages ever did and ever will accrue to the greatest." We should observe in the Abbé Raynal's history of this revolution that there is a party in France that blame the ministry for putting themselves into the chains (*fers*) of Congress and for not keeping us dependent enough upon them. Is it not natural for them to wish to keep us dependent upon them, that we might be obliged to accept such terms of peace as they should think would do for us? If the house of Bourbon should be suspected by any neutral power to grow too fast in wealth and force and be disposed to form a league against it, is it not natural for it to wish that we may be kept from any connexions with such powers and wholly connected with it, so as to be obliged to engage with it in all its wars?

It is impossible for me to prove that the delay of Spain to acknowledge our independence has been concerted between the French and Spanish ministry; but I candidly ask any man who has attended to the circumstances of this war if he has not seen cause to suspect it. For my own part I have no doubt of it, and I don't know that we can

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 644, with verbal changes; and 7 J. Adams' Works, 626.

justly censure it. I have ten thousand reasons which convince me that one minister at least has not wished that we should form connexions with Holland even so soon as we did or with any power, although he had no right and therefore would not appear openly to oppose it. When I took leave of that minister to return to America, in the spring of 1779, he desired me expressly to advise Congress to attend to the affairs of the war and leave the politics of Europe to them, "*et laisser la politique à nous.*" In 1778 or 1779, when Mr. Lee and I proposed to Dr. Franklin to go to Holland or consent that one of us should go, the doctor would not, but wrote to that minister upon it and received an answer, which he showed me, advising against it; and when I received my letter of credence here the minister here, who follows the instructions communicated by that minister, took all possible pains to persuade me against communicating it; and Doctor Franklin, without reserve in word or writing, has constantly declared that Congress were wrong in sending a minister to Berlin, Vienna, Tuscany, Spain, Holland, and Petersburg, and Dr. Franklin is as good an index of that minister's sentiments as I know.

Now, I avow myself of a totally opposite system, and think it our indispensable duty, as it is our undoubted right, to send ministers to other courts and endeavor to extend our acquaintance, commerce, and political connexions with all the world, and have pursued this system, which I took to be also the wish of Congress and the sense of America, with patience and perseverance against all dangers, reproaches, misrepresentations, and oppositions, until, I thank God, He has enabled me to plant the standard of the United States at The Hague, where it will wave forever.

I am now satisfied and dread nothing. The connexion with Holland is a sure stay. Connected with Holland and the house of Bourbon we have nothing to fear.

I have entered into this detail in answer to your inquiry, and the only use of it I would wish to make is this: to insist upon seeing with our own eyes, using our own judgment, and acting an independent part; and it is of the last importance we should do it now thus early, otherwise we should find it very difficult to do it hereafter. I hope I have given you my sentiments, as you desired, with freedom, and that freedom I hope will give no offense either in America or France, for certainly none is intended.

In your favor of the 22d of May you direct me to draw upon Doctor Franklin for my salary and to send my accounts to you. My accounts, sir, are very short, and shall be sent as soon as the perplexity of the treaty is over. As to drawing on Doctor Franklin, I presume this was upon supposition that we had no money here. There is now near a million and a half of florins, so that I beg I may be permitted to receive my salary here.

I have transmitted to Mr. Dana your despatches, as desired in yours

of 29th May, reserving an extract for publication in the gazettes, which the French ambassador is of opinion, as well as others, will have a great effect in Europe. Your letter is extremely well written, and M. Dumas has well translated it, so that it will appear to advantage. Yours of the 30th May affords me the pleasure of knowing that you have received some letters from me this year, and I am glad you are inclined to lay that of 21st February before Congress. By this time I hope that all objections are removed to the memorial; but, in order to judge of the full effect of that memorial, three volumes of the *Politique Hollandaise*, several volumes of *De Post Van Neder Rhin*, all the Dutch gazettes for a whole year, and the petitions of all the cities should be read, for there is not one of them but what clearly shows the propriety of presenting that memorial, whose influence and effect, though not sudden, has been amazingly extensive. Indeed the French ambassador has often signified to me lately, and more than once in express words, *Monsieur, votre fermeté a fait un très bon effet ici.*

The cipher was not put up in this duplicate, and I suppose the original is gone on to Mr. Dana in a letter I transmitted him from you some time ago, so that I should be obliged to you for another of the same part.

Rodney's victory came, as you hoped it would, too late to obstruct me. I was well settled at The Hague, and publicly received by the states and prince before we received that melancholy news. If it had arrived some time sooner, it might have deranged all our systems, and this nation possibly might have been now separately at peace, which shows the importance of watching the time and tide which there is in the affairs of men.

You require, sir, to be furnished with the most minute detail of every step that Britain may take towards a negociation for a general or partial peace. All the details towards a partial peace are already public in the newspapers, and have all been ineffectual. The States-General are firm against it, as appears by their instructions to their ministers. Since the conversations between me and Diggs first and Mr. Laurens afterwards, there has never been any message, directly or indirectly, by word or writing, from the British ministry to me. It was my decided advice, and earnest request by both, that all messages might be sent to Paris to Doctor Franklin and the Count de Vergennes, and this has been done. Dr. Franklin wrote me that he should keep me informed of everything that passed, by expresses; but I have had no advice from him since the 2d of June. Your despatches have all gone the same way, and I have never had a hint of any of them. I hope that Doctor Franklin and Mr. Jay have had positive instructions to consent to no truce or armistice and to enter into no conferences with any British minister who is not authorised to treat with the United States of America.

Some weeks ago I agreed with the Duc de la Vauguion to draw up a project of a memorial to their high mightinesses, proposing a triple or

quadruple alliance, according to my instructions to that purpose. The duke, in his private capacity, has declared to me often that he is of opinion that it would be advisable to make this proposition as soon as the treaty of commerce is signed, but could not give me any ministerial advice without consulting the Count de Vergennes. We agreed that he should transmit the project to the count. Two days ago, the duke called upon me and informed me that he had the count's answer, which was, that he did not think this the time, because it would tend to throw obscurity upon the instructions lately given by the States-General to M. Brantzen, not to make any treaty or armistice but simultaneously with all the belligerent powers.

By the tenth article of the treaty of alliance, the invitation or admission is to be made by concert. From my instructions, I supposed, and suppose still, that the concert was made at Philadelphia between Congress and the Chevalier de la Luzerne, by the order of the king, his master; and, my instructions being positive and unconditional to make the proposition, I shall be somewhat embarrassed. On the one hand, I would preserve not only a real harmony, but the appearance of it, between all steps of mine and the councils of the French ministers. On the other, I would obey my instructions, especially when they are so fully agreeable to me, at all events. The proposition would have a good effect in England, in Holland, in France, America, and in all the neutral countries, as I think, and it could do no harm, that I can foresee. Nay, further, I am persuaded that the French ministry themselves, if they were to give me their private opinions, as the Duc de la Vauguyon does, would be glad if I should make the proposition against their advice.

It is possible, however, that they may secretly choose (notwithstanding the offer made at Philadelphia) not to be bound in an alliance with America and Holland. They may think they shall have more influence with their hands unbound, even to a system that they approve and mean to pursue. It is amidst all these doublings and windings of European politics that American ministers have to decide and act. The result is clear in my mind that although it is proper to be upon good terms and be communicative and confidential with the French ministers, yet we ought to have opinions, principles, and systems of our own, and that our ministers should not be bound to follow their advice but when it is consonant to our own, and that Congress should firmly support their own ministers against all secret insinuations. They must see that a minister of theirs who is determined, as he is bound in honor, to be free and independent, is not in a very delectable or enviable situation in Europe as yet.

There is but one alternative: Either Congress should recall all their ministers from Europe and leave all negotiations to the French ministry or they must support their ministers against all insinuations. If Congress will see with their own eyes, I can assure them without fear

of being contradicted that neither the color, figure, nor magnitude of objects will always appear to them exactly as they do to their allies. To send ministers to Europe who are supposed by the people of America to see for themselves, while in effect they see, or pretend to see, nothing but what appears through the glass of a French minister, is to betray the just expectations of that people.

I have the honor to be, &c.,

JOHN ADAMS.

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J. Adams to Livingston.\*

THE HAGUE, *September 7, 1782.*

SIR: In answer to your letters, demanding my accounts, I have the honor to enclose the three numbers, 1, 2, 3.

No. 1 is an account of my salary for two years and a half, and the payment of it by Dr. Franklin, in obedience to the orders of Congress, the whole amounting to £6,250 sterling.†

No. 2 is the account for the purchase of the Hôtel des Etats-Unis de l'Amérique, which amounts to fifteen thousand two hundred and seven florins, seven stivers, and eight duits. Over against it I have given credit for the cash I received of Messrs. de Neufvilles' loan, six thousand six hundred and fifty florins. I have also given credit for twelve thousand four hundred and twenty-eight French livres and five sols, which I received of M. Lagoanère in Spain. I have been informed it was the intention of Congress that the expenses of their ministers to the places of their destination should be borne in addition to their salaries. The expenses made by the continental navy board for the accommodations of the voyage were, no doubt, intended to be so, for which reason I have taken no notice of them in my accounts, either of the first or second voyage. But, whether the expenses of our horrid journey through Spain come within the intention of Congress or not, I can't tell. It was our misfortune to be cast, in a leaky ship, on the Spanish coast, and to make a very distressing and a very expensive journey by land to Paris; but, whether it is the design of Congress to allow us this expense or not, I know not, and very cheerfully submit to their decision. If they should allow it, they will erase it from this account, No. 2. But in that case they should erase another article from No. 3.

No. 3. That article is the first, four hundred dollars stolen out my chest at Dr. Franklin's. After I received my commission from Congress to borrow money in Holland, Mr. Thaxter was obliged to come to assist me; but, as it was not certain I should stay in Holland, it was not proper

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\* MSS. Dep. of State; 3 Spark's Dip. Rev. Corr., 649, with omissions and verbal changes.

† The salary allowed the ministers abroad at that time was two thousand five hundred pounds sterling a year.



to remove my baggage from Paris. Accordingly I wrote to Dr. Franklin, requesting him to give house-room to my chests, which he was kind enough to agree to. They were all accordingly carried there; but while there some thief broke out the bottom of one of my chests and carried off four hundred dollars, which I could never hear of. Mr. Dana and Mr. Thaxter knew the dollars were there and Dr. Franklin knows they were stolen; and as this misfortune has happened from my having two commissions, that called my attention different ways, and from no fault of mine, I think it is but reasonable I should be allowed it, provided Congress should charge me with the whole sum of money received of M. Lagoanère. If they should allow me that sum, I don't desire to be allowed this four hundred dollars.

The second article in No. 3 is my journey to Paris. As this was an additional and double expense, arising necessarily from my having two departments, one for peace and the other for Holland, and as it was a heavy expense, I submit to Congress the propriety of allowing it.

The other articles in No. 3 are deductions from my salary, which Dr. Franklin wrote me ought to be allowed me by Congress, but he did not think himself authorized to pay me any more than my net salary; so that all charges must fall upon me; whereas I apprehend the intention of Congress was that the net salary should be paid me, and all necessary charges attending the payment of it to be borne by the public. I submit it, however, to their decision.

The other articles, of house rent, stationery, salaries of clerks, postage of letters, and extra entertainments, are articles which Dr. Franklin wrote me he had charged to Congress, and since told me that Mr. Jay was of the same opinion with him and me, that they ought to be. I have not sent any particular account of these things, and shall not, until I know the determination of Congress, because it is extremely difficult for me to make up an account of them. My life has been such a wandering pilgrimage that I have not been able to keep any distinct account of them. They are scattered about in a thousand of receipts, with other things, which will require more time to bring together than I will spend upon it, until I know the pleasure of Congress. My house rent has, on an average, cost me more than one hundred and fifty pounds sterling a year, although mostly I have lived in furnished lodgings. I have had but one clerk, Mr. Thaxter, to whom I hope Congress will make some compensation for his faithful and industrious services, in addition to what I have paid him, which has been only one hundred pounds sterling a year. If Congress allows this to me, it may be easily added to the account by them.

The purchase of the house is a very good bargain. If Congress choose to pay the house rent of their ministers it will be cheaper here than anywhere, by reason of this purchase; if not, their minister here may pay the interest of the purchase money for rent to Congress as well as to another. And in that case he will live at a cheaper rate



than any other minister. I have been at a small additional expense for repairs, which have put the house in order; but, as the accounts are not yet brought in, I cannot exactly tell the sum. When they come in I shall draw upon the Messrs. Willinks, Van Staphorsts, and De la Laude and Fynjè for the money, unless I should have contrary orders from Congress.

I have ever made a large expense for newspapers, for the sake of public intelligence, and have sent them as often as I could and in great numbers to America. As I ever have I ever shall send them all there, and if Congress thinks this a proper charge to the public it may be added hereafter.

I have the honor to be, &c.,

JOHN ADAMS.

P. S.—Extraordinary entertainments I suppose mean such as are ordered. I have none to charge.

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Livingston to Moore, President of the Council of Pennsylvania.\*

OFFICE OF FOREIGN AFFAIRS, *September 8, 1782.*

SIR: The State of Pennsylvania not having as yet passed laws conformably to the eleventh article of the treaty of amity and commerce between his most christian majesty and these United States, agreeably to the requisition of Congress to the several States, passed the 14th day of January, 1780, a copy of which is enclosed, I find myself called upon by the minister plenipotentiary of his most christian majesty, in behalf of such of the subjects of France as in confidence thereof have purchased real property in this State, to solicit for them the security they are entitled to by this article.

I have the honor, therefore, to request your excellency to take measures for calling the attention of the legislature to this stipulation in the treaty, when at their earliest leisure from such business as they conceive requires more immediate despatch. I beg also to be informed whether any and what steps have been taken to carry into effect the several resolutions of the United States in Congress assembled, contained in the letters I did myself the honor to write to your excellency of the following dates, 18th and 19th of February and 2d of May, 1782.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Carmichael to Livingston.\*

No. 13.

ST. ILDEFONSO, *September 8, 1782.*

SIR: My last were of the 17th and 26th ultimo. I am still without the least information from America since the 1st of May, the date of your last letter. His excellency the Count de Florida Blanca, whom I had the honor to see yesterday, seemed apprehensive that Congress might be induced to believe, from the capitulation accorded to the British at Providence, that this court had not, after what happened at Pensacola, instructed its commanders to take care in future that the garrisons of such places as his Catholic majesty's forces might reduce should be disposed of in such a manner as not to be prejudicial to any of the belligerent powers. His excellency assured me how much he should be concerned if an oversight of the general employed should create misunderstanding injurious to the harmony which the king wished to cultivate with America, and prayed me to take the earliest opportunity of conveying these sentiments to Congress. He proceeded to inform me that immediately after the court received the articles of the capitulation of Pensacola instructions were sent to M. Galvez to oblige the enemy to consent to the transportation of their prisoners to Europe; that these orders did not reach him until he had left the Havana previous to [his departure from which place he had made\*] the necessary arrangements for the expedition against [Providence, from which circumstance he concluded that M. Galvez had not had an opportunity to convey them to the general charged with the direction of the operations against the†] Bahama Islands.

I assured his excellency that I found myself happy in having an occasion of representing to Congress every instance of his majesty's good will, and begged leave to remind him that several complaints, sustained by citizens of America, laid before his excellency by Mr. Jay, and since his departure by myself, had remained unredressed; that I presumed his excellency had given the necessary orders for their relief, but that his majesty's favorable intentions had been defeated hitherto by the delay and in some instances by the injustice of persons employed in the service of government. I insinuated how agreeable it would be to me to remove the unfavorable impressions that his conduct had made, or might make, in the breasts of my countrymen by having it in my power to communicate the orders which had been given, or which his majesty might be pleased to renew, for this effect. I particularized the case of the *Lord Howe*, an English vessel with a valuable cargo, brought into Cadiz by a part of her crew, Americans, detained by order of the admiralty, and the captors, in some measure, confined as prisoners of war. I represented in the strongest terms the

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 96, with verbal changes and omissions.

† Passages in brackets omitted in Sparks' edition.

little respect paid to a positive resolution of Congress granting to the captors of vessels the property taken in this manner, a resolution occasioned by the notorious injustice of the common enemy, who commenced this practice of seducing American seamen and encouraging their own to enter into our service with the purpose of afterwards betraying the confidence reposed in them.

His excellency desired me to pass him an office in French on the subject, and promised me an answer in writing, with the intention, I imagine, of its being sent to Congress. You will please to observe that the negligence of Mr. Harrison's banker, to whom he addressed his letters for me on this subject, retarded my knowledge of the detention of this vessel. I had, however, spoken to M. del Campo on the subject immediately on hearing of his arrival at Cadiz, and repeated to him the substance of the resolution of Congress, from an apprehension that the officers at that port would observe the same conduct as those in the Canaries had done in the case of the Dover cutter. I avoided to mention particularly the latter affair until I shall have obtained the promised answer. If that proves favorable, as I expect it will, I shall renew to him with redoubled ardor my representations on this head. They are, however, so much in want of money here that I fear the captors will be obliged to wait some time for theirs. This scarcity of cash occasions the exaction of the duties at Cadiz and Bilboa complained of by Mr. Harrison and others. I have employed all the means in my power to convince not only the Count de Florida Blanca, but also the ministers of finance and the Indies, of the impolicy as well as the injustice of this measure.

I have engaged several persons who have their confidence to second me, and I hope that good humor, patience, and, above all, frequent personal solicitations will obtain at least a diminution of these duties, an object of great importance to our commerce. In the meantime I have advised Mr. Harrison and others to make no payments on the pretext that the affair is before the ministry, for refunding is contrary to the spirit of this country. Important news may soon be expected from Gibraltar, at least my letters inform me that the attack is to be made this day, for that everything would be ready for the purpose. As I have a very minute detail of all that passes there from persons at headquarters, I hope I shall be able to give you a precise relation of the operations. This correspondence is of a delicate nature for the parties concerned, and therefore I shall not hazard the sending copies of my letters but by the safest conveyances. I am promised a drawing of the so-much-talked-of floating batteries, which, as the nature and novelty of their construction may excite curiosity, I will forward the instant I receive it. I hope soon to have the honor to hear from you and to have your instructions for my future government. With sincere wishes that my conduct may not be displeasing to Congress, and with the highest respect, I have the honor to be, &c.,

WILLIAM CARMICHAEL.

Franklin to Richard Oswald.\*

PASSY, *September 8, 1782.*

SIR: I have received the honor of yours, dated the 5th instant, enclosing an extract of a letter to your excellency from the right honorable Thomas Townshend, one of his majesty's principal secretaries of state, wherein your conduct in communicating to us the fourth article of your instructions appears to have been approved by his majesty. I suppose, therefore, that there is no impropriety in my requesting a copy of that instruction; and, if you see none, I wish to receive it from you, hoping it may be of use in removing some of the difficulties that obstruct our proceeding.†

With great and sincere esteem, I am, sir, your excellency's most obedient and most humble servant,

B. FRANKLIN.

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Livingston to Weare, Governor.‡

OFFICE OF FOREIGN AFFAIRS, *September 9, 1782.*

SIR: I have the honor to enclose copies of letters which have been received from the governor of the island of Granada, in consequence of letters written, on my application, by the minister of France, and the state of Mr. McClintock's case, transmitted by me.

From this answer I think the justice of Mr. McClintock's claim is put out of doubt; but at the same time redress will be rendered more difficult by our being now obliged to seek it in another channel. I shall, however, direct a memorial to be presented on the subject to the court of France, and send over authentic copies of the documents in my possession. It would greatly facilitate this business if Mr. McClintock had an agent in France who would prosecute his claim and to whom I would afford all the facilities in my power. I mention this matter to your excellency because, the legislature of New Hampshire having interested themselves therein, I presumed that it would be agreeable to them to know that it was not neglected.

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\* 2 Sparks' Dip. Rev. Corr., 375; 9 Sparks' Franklin, 407; 8 Bigelow's Franklin, 166.

† Copy of the fourth article of his majesty's instructions to Richard Oswald, for his government in treating with the commissioners of the Thirteen United Colonies of America for a truce or peace, the said instructions being dated the 31st day of July, 1782, viz:

"4th article. In case you find the American commissioners are not at liberty to treat on any terms short of independence, you are to declare to them that you have authority to make that concession, our ardent wish for peace disposing us to purchase it at the price of acceding to the complete independence of the Thirteen Colonies, namely, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the Three Lower Counties on the Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in North America."

‡ MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 193.

I beg you to assure them, sir, that I shall receive with pleasure any further instruction with which they may please to honor me relative to this or any other subject in which I may promote the views of the State or the interest of its members.

Not having been honored with answers to my several letters to your excellency of the following dates, 18th and 19th of February and 2d of May, 1782, I beg leave to ask whether they have been received and what measures have been taken in consequence of them.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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**Livingston to the President of Congress.\***

OFFICE OF FOREIGN AFFAIRS, *September 9, 1782.*

SIR: The situation of my affairs rendering my personal attention necessary, I take the liberty to request your excellency to communicate to Congress my design (if it meets their approbation) to visit the State of New York for a few weeks. I shall take measures to have the earliest communication made to Congress of such intelligence as may be received in my absence and for the general direction of the business of the department. Your excellency will do me the honor to obtain the sense of Congress upon this subject, and to believe me, with the highest respect, &c.,

ROBERT R. LIVINGSTON.

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**Livingston to Martin, Governor.\***

OFFICE OF FOREIGN AFFAIRS, *September 9, 1782.*

SIR: I have the honor to acknowledge the receipt of your excellency's letter of the 24th of June, by Mr. Blount, together with the map you were pleased to transmit. I shall expect, at your leisure, the other documents you mention as explanatory of your boundaries. Copies of the most westerly grants that have been made by the crown within your State would tend greatly to elucidate your claim, as would also copies of acts of the legislature laying out the back country into counties or parishes, if any such exist.

I receive with great pleasure the account you give of the exertion of your State in filling their line, though I think we have some reason to hope that you will not be able to find employment for them near home.

I could wish to have had it in my power to give your excellency some account of our foreign negotiations, but by an extraordinary neglect, or, which is more probable, by some accident, we have had no official information, either from our own ministers or through the min-

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 194.

ister of France, for a very long time past. As to public news, it is not worth while to trouble you with it, as this letter will probably lay some days before the gentleman who has promised to charge himself with it calls. I shall therefore direct, as the best means of giving the news of the day, that the latest papers of this place be sent with it when he is just about to set out.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

**Morris to the President of Congress.\***

OFFICE OF FINANCE, *September 9, 1782.*

SIR: I did myself the honor to propose in my letter of the 30th of July last the borrowing of four millions of dollars for the service of the ensuing year. It always gives me pain to repeat any application to Congress, because it is my duty to suppose they pay every proper attention to those things which are submitted to their consideration. But I must take the liberty on this occasion to observe that the many engagements I have been compelled to make for the purpose of supporting the public service to the present moment will all fall due between this and the first of next year.

My prospects of relief from the revenues of America are slender indeed. As a safe opportunity, for Europe will offer in a few days, Congress will be pleased to consider that the moments are very precious. They will consider that I can not act in this business without their authority, and that it will take some days to prepare the necessary despatches even after that authority is given. I hope, sir, that I shall not be understood as desiring to precipitate any acts or resolutions. We are fast approaching to the winter. If everything could be ready by the 15th of this month we could not reckon on the arrival of despatches at Paris before the beginning of November. A month is but a short period to transact this important business, and this would not leave another month for the winter's passage back.

With perfect respect, I have the honor to be, &c.,

ROBERT MORRIS.

**Morris to Washington.†**

OFFICE OF FINANCE, *September 9, 1782.*

DEAR SIR: The dates of the enclosed letters will show you my extreme reluctance to wound your mind with the anxieties which distress my own. At the time they were written I was sore pressed on every

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 535.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 536.



quarter; but a gleam of hope broke in upon me, and induced me to bear up still longer against the torrent of demands which was rushing upon me. These would long since have overwhelmed me had I been supported only by the revenues drawn from the States.

At length, however, my other resources which are nearly exhausted have become useless by the total stagnation of trade owing to the expectations of peace. There is, therefore, no other dependence left but the taxes, and unless these become immediately productive of funds sufficient to feed our troops I need not describe the consequences. Already I am in arrears, in spite of my efforts. I am determined, however, to continue those efforts to the last moment, but at present I really know not which way to turn myself.

With the most sincere esteem, &c.,

ROBERT MORRIS.

Secret Journal of Congress.—Peace negotiations.\*

SEPTEMBER 10, 1782.

On motion of Mr. Madison, seconded by Mr. Lee,

*Resolved*, That the Secretary for Foreign Affairs be and he is hereby directed to obtain as speedily as possible authentic returns of the slaves and other property which have been carried off or destroyed in the course of the war by the enemy, and to transmit the same to the ministers plenipotentiary for negotiating a peace.

On the question to agree to this, the yeas and nays being required by Mr. Wright,

New Hampshire.....	Mr. Gilman.....	No.	No.
Massachusetts Bay .....	{ Mr. Osgood.....	Aye.	{ Aye
	{ Mr. Jackson.....	Aye.	{
Rhode Island.....	{ Mr. Cornell.....	Aye.	{ 0.
	{ Mr. Howell.....	No.	{
Connecticut .....	{ Mr. Huntington .....	Aye.	{ Aye.
	{ Mr. Dyer .....	Aye.	{
New York .....	{ Mr. Duane .....	Aye.	{ Aye.
	{ Mr. L'Hommedien .....	Aye.	{
New Jersey .....	{ Mr. Clark .....	No.	{
	{ Mr. Condict .....	No.	{ No.
	{ Mr. Witherspoon .....	Aye.	{
Pennsylvania .....	{ Mr. Montgomery .....	Aye.	{
	{ Mr. Smith.....	Aye.	{ Aye.
	{ Mr. Clymer .....	Aye.	{
	{ Mr. Atlee.....	Aye.	{
Delaware .....	{ Mr. McKean.....	Aye.	{ Aye.
	{ Mr. Wharton .....	Aye.	{
Maryland .....	{ Mr. Hanson .....	No.	{
	{ Mr. Carroll.....	No.	{ No.
	{ Mr. Wright.....	No.	{
Virginia .....	{ Mr. J. Jones.....	Aye.	{
	{ Mr. Madison.....	Aye.	{ Aye.
	{ Mr. Bland .....	Aye.	{
	{ Mr. Lee .....	Aye.	{

\* MSS. Dep. of State.

North Carolina .....	{ Mr. Williamson .....Aye. }	{ Aye.
	{ Mr. Blount .....Aye. }	
	{ Mr. Rutledge .....Aye. }	
South Carolina .....	{ Mr. Ramsay .....Aye. }	{ Aye.
	{ Mr. Izard .....Aye. }	
	{ Mr. Gervais .....Aye. }	
	{ Mr. Middleton.....Aye. }	
Georgia .....	{ Mr. Telfair .....Aye. }	{ Aye.
	{ Mr. N. W. Jones.....Aye. }	
	{ Mr. Few.....Aye. }	

So it was resolved in the affirmative.

*Resolved*, That in the mean time the Secretary for Foreign Affairs inform the said ministers that many thousands of slaves and other property to a very great amount have been carried off or destroyed by the enemy, and that in the opinion of Congress the great loss of property which the citizens of the United States have sustained by the enemy will be considered by the several States as an insuperable bar to their making restitution or indemnification to the former owners of property which has been or may be forfeited to or confiscated by any of the States.

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Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS, *September 11, 1782.*

SIR: I have the honor to lay before Congress a number of letters received last night by Captain Smedley, from Mr. Adams, Mr. Dana, and Mr. Barclay. I have arranged and numbered them and translated those of Mr. Dumas. The compliment of the merchants of the town of Schiedam being very lengthy, it is not yet translated; when it is it will be laid before Congress. Mr. Dana has by some accident neglected to put up the first sheet of his letter, so that the subject is broken in upon, and we are ignorant of its date.

I take the liberty to recommend that some attention be paid to Mr. Adams's request with respect to Mr. Dumas, who has certainly been a very assiduous servant of the United States; I could wish at least to be enabled to inform him of the sense of Congress thereon. Perhaps it would be expedient to commit it to the committee appointed to consider the salaries of foreign ministers, &c. Mr. Adams has as yet received no answer to the letter on the subject of his purchase at the Hague. Should Congress approve the form which Mr. Adams proposes for the ratification of his agreement I presume Mr. Thompson will have their orders for endorsing it, and the agreement will be immediately returned to this office, so that Congress may avail themselves of the means that now offer for transmitting it.

I also lay before Congress a large packet containing Mr. Deane's accounts, which I shall deliver to the office of finance, unless Congress would choose to have it disposed of in some other way. I must beg,

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 195, with verbal changes.

sir, that the letters be returned to this office as soon as Congress have examined them, as I wish to avail myself of the present opportunity to answer them.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Franklin to Grantham.\*

PASSY, *September* 11, 1782.

MY LORD: A long and severe indisposition has delayed my acknowledging the receipt of the letter your lordship did me the honor of writing to me by Mr. Fitzherbert.

You do me justice in believing that I agree with you in earnestly wishing the establishment of an honorable and lasting peace; and I am happy to be assured by your lordship that it is the system of the minister with whom you are coöperating. I know it to be the sincere desire of the United States, and with such dispositions on both sides there is reason to hope that the good work in its progress will meet with little difficulty. A small one has occurred in the commencement, with which Mr. Oswald will acquaint you. I flatter myself that means will be found on your part for removing it; and my best endeavors in removing the subsequent ones (if any should arise) may be relied on.

I have the honor of being known to your lordship's father. On several occasions he manifested a regard for me, and a confidence in me. I shall be happy if my conduct in the present important business may procure me the same rank in the esteem of his worthy successor.

I am, with sincere respect, my lord, your lordship's most obedient and most humble servant,

B. FRANKLIN.

Livingston to Luzerne.†

OFFICE FOREIGN AFFAIRS, *September* 12, 1782.

SIR: I have been honored by your favor of the 4th instant. I have taken measures to obtain from the State of Pennsylvania the law you mention, which may be necessary to give validity to the 11th article of the treaty of amity and commerce.

The demand upon the State of Georgia shall be transmitted as soon as possible, and I doubt not that they will see that full justice is done to the gentlemen in whose behalf you make the representation.

As it appears clearly from the state of facts transmitted by Count de Durat, that the vessel taken by McClintock and his associates is lawful

\* 2 Sparks' Dip. Rev. Corr., 375; 8 Bigelow's Franklin, 170.

† MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 81, with verbal changes

prize, agreeably to the marine laws of this country, I shall renew my instances upon this subject, and direct Dr. Franklin to apply to your court for redress ; I must, therefore, again request your aid in promoting this claim in that channel, in which you observe that it ought in future to be made.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS, *September 12, 1782.*

SIR : I have the honor to lay before Congress two letters from Messrs. de Neufville and Son, under cover of which last I received the enclosed letter, which contains what I suppose to be the first sheet of Mr. Dana's letter, probably sent immediately after he had discovered his mistake. I send the other parts with it. I also enclose for the perusal of Congress an act of the British Parliament for the exchange of American prisoners, which, when returned to the office, I shall have published.

I find in a Leyden paper some account of Mr. Grenville's negociation, and the alterations proposed by the committee of the States general to the treaty submitted to their consideration by Mr. Adams. These may be objects of curiosity, and as such I enclose them. They will be printed on Saturday if the papers are returned in time.

A Dutch paper of the 13th of July mentions that the Baron Vioménil, the Marquis de Lavall, and other officers left Paris the beginning of July, in order to sail in the —— frigate ; that the Marquis de la Fayette was not to accompany them, as it was proposed ; that he was waiting the issue of the negociation in Paris.

The Count D'Artois has obtained leave of the king of Spain to serve as a volunteer at the siege of Gibraltar. This may perhaps be concluded as an indication of their hope of success in the attempt to reduce it.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

Livingston to the President of Congress.†

PHILADELPHIA, *September 12, 1782.*

SIR : I have the honor to enclose two reports upon Mr. Adams's letters. I would propose in addition to the first to direct the substance of Mr. Adams's letter of the 23d of April, containing his note and the ap-

\* MSS. Dep. of State ; 6 Sparks' Dip. Rev. Corr., 196.

† MSS. Dept. of State, 6 Sparks' Dip. Rev. Corr., 197.

pointment of a committee to be printed as articles of intelligence, not under the express direction of Congress, since the business is not concluded.

With respect to the second report, I am led to make it by Mr. Adams' recommendation, and by my sense of the zeal and diligence which M. Dumas has so long testified in the cause of America, when it was very far from being a popular one in Holland. Though I must confess I feel some reluctance in seeing any but an American in the line, which ought to serve as a school for future ministers. But this case has peculiar circumstances by which it must be determined. The commission of *chargé d'affaires* I should conceive too important and too confidential to be placed in any hands but those of a citizen of the United States. There are other reasons which will suggest themselves to Congress against this measure, which it is unnecessary to mention. The salary I have left blank, as that subject is under the consideration of a committee. The second resolution is to take away the necessity of making it greater than our circumstances will allow.

The merits of the other gentlemen mentioned by Mr. Adams, together with his recommendation, might justly, perhaps, induce Congress to show them some marks of their attention, if the situation of their finances would permit, but as neither of those gentlemen are in the service of Congress, it is to be presumed that they will not choose to take any public notice of that part of his letter till they are in circumstances to satisfy the just claims of those who have demands upon them.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Livingston to the President of Congress.\*

OFFICE OF FOREIGN AFFAIRS, *September* 12, 1782.

SIR: Having carefully examined Mr. Laurens' letter,† I believe Congress will think with me, that the subjects of it are such as I can in no other way report upon than by recommending it to be submitted to a special committee.

The two great points are his resignation and exchange. The first of these Congress only are competent to decide upon; and the last, not relating in any way to my department, is intimately connected with a subject already under the consideration of a committee. With respect to his support, I believe that there can be no doubt that Mr. Laurens' salary is to be paid till Congress determine to accept his resignation. I have considered it as a part of the expenses of this department, and accordingly remitted the amount of two quarters' salary to Dr. Franklin, commencing in January last, previous to which that business was

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\* MSS. Dept. of State; 6 Sparks' Dip. Rev. Corr., 198, with verbal changes.

† See this letter *supra*, May 30, 1782.

under the direction of Dr. Franklin. I shall continue to include his salary in my drafts on Mr. Morris till I receive directions to stop from Congress. Congress having empowered Mr. Laurens to appoint a secretary, there can be no doubt about the propriety of discharging his salary.

The enemy having published an account of Mr. Laurens' petition for relief, &c., which appears by his letter to have been without foundation, I beg leave to submit to Congress the propriety of printing his own account of this transaction, since it evidences, in contradiction to their reports, that he always acted with the dignity and firmness which became his station and character.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Livingston to the Governors of the States.\*

OFFICE OF FOREIGN AFFAIRS, *September 12, 1782.*

SIR: Agreeable to the direction of Congress contained in the enclosed resolution, I am to solicit your excellency's attention to the object of it, and to pray that means may be used by the State over which you preside to furnish the returns they require, sending quadruplicate copies of them, under the seal of the State, to this office. I am sorry to have reason to complain of the little attention that the recommendations of Congress, and my letter of the 12th day of November, 1781, relative to a similar object, has met with from your State, since the want of those returns will, without doubt, be severely felt by our ministers whenever they shall commence the negotiations for a general peace.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

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Livingston to Jay.†

PHILADELPHIA, *September 12, 1782.*

DEAR SIR: We yesterday received letters from Mr. Adams by Captain Smedley, who brought out the goods left by Commodore Gillon. These were the first advices that had reached us from Europe since your short note of the 14th of May. You will easily believe that this neglect is borne here with some degree of impatience, particularly at this interesting period, when we learn that a negociation for a peace has commenced and that Mr. Grenville is in France upon that business. Mr. Adams' letters take no more notice of this important trans-

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\* MSS. Dept. of State, 6 Sparks' Dip. Rev. Corr., 199, with verbal changes.

† MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 456, with verbal changes.



action than if we were not interested in it, presuming, probably, that we are fully informed from France. I may think improperly upon this subject, but I can not be satisfied that a quarterly letter from our ministers is sufficient to give Congress the information that is necessary for the direction of their affairs, and yet this is much more than we receive. Some pay half yearly and others offer only an annual tribute. Your last letter, properly so called, is dated in April; Dr. Franklin's, in March. This is the more mortifying as want of time can hardly be offered as an excuse by our ministers, who must certainly have more leisure upon their hands than they know how to dispose of.

I congratulate you upon your arrival in France, where, if your negotiations are not more successful than they have been in Spain, you will at least enjoy many agreements that will console you under your disappointments. Carleton has informed us that Great Britain had agreed to yield us unconditional independence. I find that he has been too hasty in his opinion and that the death of the Marquis of Rockingham has made a very material alteration in the system. That this inconsistency may be fully displayed, I would advise you to have the enclosed letter from Carleton and Digby published in Europe. Before the arrival of the packet, every disposition was made for the evacuation of Charleston, which was publicly announced. The Tories have, in consequence of it, come out in crowds with the consent of General Leslie to solicit pardon. The works at Quarter House were burned. Whether the late intelligence will alter their determination I can not say. High expectations have also been entertained of the evacuation of New York, where the Royalists were in despair. Their hopes are again revived.

If the negotiations go on, let me beg you to use every means for procuring a direct trade with the West Indies. It is an object of the utmost importance to us. The exports of Philadelphia alone to the islands amounted before the war to three hundred thousand pounds. They could not have been much less from New York. They were considerable also from the eastern States. We shall be very long in recovering the distress of the war if we are deprived of this important commerce. It is certain, too, that the European powers who hold islands would find themselves interested in this intercourse, provided they exclude the introduction of manufactures which might interfere with their own.

In proportion to the expense at which articles of the first necessity are furnished, must be the improvement, population, produce, and wealth of the islands. While the inhabitants of these States are compelled by law, as well as allured by fashion and habit, to receive their manufactures and luxuries from the mother country, she must reap the full benefit of such improvement, population, produce, and wealth. It may be said that this check upon the exportation of provisions from the parent state would, by reducing the price of grain, discourage agriculture. To this I would observe that it is extremely doubtful

whether it would occasion such reduction; secondly, that, if it did it, would be beneficial to the community. My doubt upon the first head arises from this consideration: If, as I maintain, the increased wealth and population of the islands occasioned an increased consumption of the manufactures of the mother country, the provisions that formerly fed the planters abroad are now consumed at home by the manufacturer, and the price of provisions stands where it did, with this clear advantage to the mother country, that by the cheapness of living on the islands she has increased the number of subjects who till the earth for her abroad, and by the same means has added to the people, who make her strength and riches at home.

My second position is grounded upon the competition that prevails at this moment among the maritime manufacturing nations of Europe, France and England particularly. The nation that undersells its rival in foreign markets will sap the foundation of her wealth and power. The nation that can maintain its manufactures and navigate its vessels at the cheapest rate will undoubtedly enjoy this advantage, all things else being equal. It is obvious that the price of labor is regulated by that of provisions, that manufacturers never earn more than a bare subsistence. If so, where provisions are cheap manufactures can be carried on to the most advantage. Of this, the East Indies are a striking proof. In proportion, too, to the price of provisions and the price of labor, which depends upon it, must be the expense of building and navigating ships. Both these advantages, where there is a concurrence, are therefore clearly in favor of the nation that can reduce the price of provisions within her own kingdom.

But it may be said that this reduction of the price of provisions which seems so desirable in one view may be found injurious in another and that it is at least as expedient to encourage agriculture as manufactures. I agree in the principle, though not in the application. Going back to my first position, that the man who labors gets a bare subsistence—for the moment he does more the number of laborers in that kind (provided his employment does not require uncommon skill) increases, and his labor is not more profitable than that of the other laborers of the country—it will follow, then, that, so far as he consumes what he raises, the price will be entirely out of the question. If a bushel of grain a day is necessary for the support of his family, he will equally raise and equally consume that grain, whether it sells for a penny or a pound. But as there are other articles necessary for the use of his family, that he must purchase, this purchase can only be made by the excess of what he raises beyond his own consumption. If he purchase the manufactures of the country and they rise in proportion to the value of provisions, it must be a matter of indifference to the husbandman whether the price of the latter is high or low, since the same quantity will be necessary to purchase what his necessities demand in either case, unless indeed his provisions are carried to foreign markets, and the manufactures he wants imported,

in which case the price of his grain will become an object of moment and operate as an encouragement to agriculture. But it would also in the same proportion operate as a check on the manufactures, population, and navigation of the country. On the first, for reasons which have been already explained ; on the second, because manufactures require more hands than agriculture ; and, on the third, because the expense of labor, which increases with the diminution of population and the price of victualling the vessels employed in the transportation of their produce, will enable nations who can maintain their subjects cheaper to navigate their vessels at a lower rate, and of course to engross this branch of business unless the laws of the state, such as acts of navigation, shall forbid, in which case those acts will operate so far as a discouragement upon agriculture, the advanced freightage being so much deducted from the husbandman's profit.

There are many collateral arguments to show the policy of this measure, even with reference to agriculture, arising out of the general positions I have stated, such as the advantage husbandmen find in a manufacturing country in placing their weak or supernumerary children to trades and procuring a number of hands on a short notice at any of those critical periods which so frequently occur in the culture of land, without being compelled to maintain them all the year, which increase their profit though they reduce the price of grain. But these are too extensive to take notice of here. I will conclude with some observations which arise from the circumstances of the country with relation to Europe, which I trust will be found so important as to merit attention.

The commercial nations of Europe begin already to see that the attention which is almost universally afforded to the improvement of manufactures must set bounds to their commerce, unless they can open new markets. Where are these new markets to be found but in America ? Here the wishes and habits of the people will concur with the policy of the Government in encouraging the cultivation of their lands at the expense of manufactures. Both will continue to operate while we have a great wilderness to settle and while a market shall be afforded for our produce. But if that market is shut against us, if we can not vend what we raise, we shall want the means of purchasing foreign manufactures, and of course must from necessity manufacture for ourselves. The progress of manufactures is always rapid when once introduced in a country where provisions are cheap and the means of transportation so extremely easy as it is in America. I am fully persuaded, therefore, that it is the interest of a nation with whom present appearances promise us such extensive commerce as France to give every encouragement to our agriculture, as the only means of keeping open this market for the consumption of their manufactures.

I meant to write a few lines on this subject and I have written a treatise ; it will, however, cost you no great trouble to read it and may possibly afford you some useful hints.

Pigot is at New York, with twenty-six sail of the line. The Marquis de Vaudreuil is at Boston with twelve, having lost the *Magnifique* in the harbor; Congress have presented his most christian majesty with the *America*, a seventy-four, built at Portsmouth. She was to have been commanded by Paul Jones. I wish heartily it were possible to give some employment to that brave officer.

The allied army is at present at Verplanck's Point, in good health and spirits. Where is the Marquis de la Fayette? We have impatiently expected him these four months. Present my compliments to him, General Du Portail, and Viscount de Noailles. Tell the last I congratulate him on his preferment, though it is with difficulty I rejoice at it, since it is to deprive us of the pleasure of seeing him again.

I have written you four private letters since the last I had from you.

I have the honor to be, dear sir,

ROBERT R. LIVINGSTON.

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Livingston to Dumas.\*

PHILADELPHIA, *September 12, 1782.*

SIR: Just after I had closed the letter you will receive with this, I was honored by your despatches from the 10th of May to the 9th of July, inclusive. You will easily believe, sir, that I received great pleasure from the important intelligence they communicate; and the more so as we had been long in the dark with respect to your transactions.

I am sorry that the packet which is to carry this leaves me no time to enlarge; but this will be the less necessary as I shall write very fully to Mr. Adams.

With respect to your own affairs, I can only say that you have my sincerest wishes for your prosperity and promotion. I have already reported upon the subject, but what the issue will be I can not yet venture to predict. I know Congress to be very sensible of your assiduity and attachment; and, if anything prevents their rewarding them as they would wish, it will be the present state of their finances, which requires the most rigid economy.

The change in the British administration will induce, it is imagined, a similar change in measures here. We were in hourly expectation of hearing of the evacuation of Charleston, which had been formally announced to the inhabitants, who came out in crowds to demand pardon with the concurrence of General Leslie. It is probably too late to countermand that order, although they will, in all likelihood, still retain New York, contrary to what had appeared to have been their determination before the arrival of the packet. Happily the continuance

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\* MSS. Dep. of State; 5 Sparks', Dip. Rev. Corr., 355.

of the war will be much less burdensome to us now than at any former period, not only because habit has reconciled us to it and introduced system in our mode of conducting it, which makes it less inconvenient to the individual, but because I think I may say, without boasting, that there is not at this time a better disciplined or a better disposed army in the world; scarce a man among them who has not been repeatedly in action. They are now, too, completely clothed and armed, an advantage they never before enjoyed. We are at present just in the situation in which free people should always wish to be. Peace will not come unwelcomed, nor war unprepared for.

I have the honor to be, etc.,

ROBERT R. LIVINGSTON.

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Livingston to Carmichael.\*

No. 14.

PHILADELPHIA, *September 12, 1782.*

SIR: All my letters of late have begun with complaints of neglect on the part of our ministers in not transmitting early and full intelligence of what is passing in Europe at this interesting period. That there may, however, be one exception, I will not say a word on this subject to you, only reminding you that the last despatches we have been favored with from you are those of the 18th and 27th of February. These I replied to the 6th of July; a copy of that letter goes with this; since which, Carleton and Digby have announced the commencement of negotiations in Europe and the resolution to acknowledge the independence of America without exacting any condition. Leslie has informed the inhabitants of Charleston that he means to evacuate it; measures have been accordingly taken for that purpose. The evacuation of New York seemed also in some measure determined on. But the arrival of the packet announcing the late changes in the administration has revived the spirits of the Tories, and they still retain hopes of maintaining their ground in America. Our armies are now united, and about moving to their old station at the White Plains. Pigot is at New York with twenty-six sail of the line and the Marquis de Vaudreuil at Boston, where he has unfortunately lost the *Magnifique*, sunk in the harbor. Congress have endeavored to compensate this loss by presenting his most Christian majesty with the *America*, built at Portsmouth. She will, I believe, prove a very fine ship, and with diligence she may be fitted in time to be of use this campaign.

We have nothing new among us to inform you of. The armies on both sides have been inactive and our attention is turned on what passes in Europe. Here we are lost in the wide field of expectation

and conjecture, without a clue to lead us. I must again press you to think of appointing some agent here to receive your salary, which will be paid upon the spot and may be vested in bills to great advantage. Two quarters' salary have been transmitted by me, but, as I am unauthorized in this business, I shall inform Mr. Morris that he must devise some other way to make these remittances, which I beg leave to decline meddling with in future.

I have the honor to be, with great esteem, &c.,

ROBERT R. LIVINGSTON.

*Livingston to Franklin.\**

PHILADELPHIA, *September 12, 1782.*

SIR: I have nothing to add to mine of the 5th instant, but to congratulate you on the safe arrival of two vessels from Holland, having on board the goods left by Commodore Gillon, and to present you in the name of Mr. Paine with three copies of a late work of his addressed to the Abbé Raynal, in which he takes notice of some of the many errors with which this work abounds. The abbé has a fine imagination, and he indulges it. The enclosed resolution contains an important fact, which I am using means to ascertain; but from the ill success I have hitherto met with in every similar attempt I am fearful that it will be very long before I can effect it.

I have the honor to be, sir, with great respect and esteem, your most obedient, humble servant,

ROBERT R. LIVINGSTON.

*Livingston to Franklin.†*

PHILADELPHIA, *September 12, 1782.*

SIR: Since writing the above, I have received the enclosed resolutions of Congress. I have already anticipated all that can be said upon the subject of the last; the melancholy state of our necessities is sufficiently known to you; it has been too often repeated to need reiteration.

Mr. Morris, who writes from an empty treasury amidst perpetual duns, will speak more feelingly. In short, money must be obtained for us at any rate, whether we have peace or war. France having already done much for us, and it not being probable that we shall extend our demands beyond the present, she may think it wise not to let us open accounts with a new banker, since the debtor is always more or less under obligations to the creditor.

I have the honor to be, sir, with respect and esteem,

ROBERT R. LIVINGSTON.

\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 376, with verbal changes.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 377, with verbal changes.



Secret Journals of Congress\*—Financial operations in Europe.

SEPTEMBER 14, 1782.

A motion was made by Mr. Lee, seconded by Mr. Bland,

That the several ministers of the United States in Europe be instructed to conform strictly to the resolutions of Congress of 27th November and 3d December, 1781, by which the care and management of all moneys which have been or may be obtained in Europe, by loans or otherwise, have been committed to the superintendent of finance, to be disposed of by him according to appropriations of the United States in Congress assembled.

On the question to agree to this, the yeas and nays being required by Mr. Lee,

New Hampshire .....	Mr. Gillman.....	No.	No.
Massachusetts .....	Mr. Osgood .....	Aye.	Aye.
Rhode Island .....	{ Mr. Cornell .....	No.	} 0.
	{ Mr. Howell .....	Aye.	
Connecticut .....	{ Mr. Huntington .....	No.	} 0.
	{ Mr. Dyer.....	Aye.	
New York.....	{ Mr. Duane .....	Aye.	} Aye.
	{ Mr. L'Hommedieu.....	Aye.	
New Jersey.....	{ Mr. Clarke .....	Aye.	} Aye.
	{ Mr. Condict .....	Aye.	
	{ Mr. Boudinot .....	No.	
	{ Mr. Witherspoon .....	Aye.	
Pennsylvania.....	{ Mr. Montgomery .....	No.	} No.
	{ Mr. Smith.....	No.	
	{ Mr. Clymer .....	No.	
	{ Mr. Atlee .....	No.	
Delaware.....	Mr. McKean.....	No.	No.
Maryland .....	{ Mr. Hanson .....	No.	} No.
	{ Mr. Carroll.....	No.	
Virginia.....	{ Mr. Madison .....	Aye.	} Aye.
	{ Mr. Bland.....	Aye.	
	{ Mr. Lee.....	Aye.	
North Carolina .....	{ Mr. Williamson .....	No.	} No.
	{ Mr. Blount.....	No.	
South Carolina .....	{ Mr. Rutledge.....	No.	} Aye.
	{ Mr. Ramsay.....	Aye.	
	{ Mr. Izard .....	Aye.	
	{ Mr. Gervais .....	Aye.	
	{ Mr. Middleton.....	Aye.	
Georgia .....	{ Mr. Jones .....	Aye.	} Aye.
	{ Mr. Few .....	Aye.	

So the question was lost.†

\* MSS. Dep. of State.

† In the New York Hist. Soc. Coll. for 1878, pp. 108, ff., is given in detail the report of "facts and observations" above noticed, together with a report by Chas. Thomson, Secretary of Congress, on the debates thereon.

Livingston to the Governors of the States.\*

OFFICE OF FOREIGN AFFAIRS, *September 15, 1782*

SIR: I have the honor to inform you, by the direction of Congress that I have lately received official advices from Mr. Adams of resolutions of their high mightinesses, the States-General, to receive and acknowledge the said Mr. Adams in quality of minister plenipotentiary of the United States of America and to request your excellency to cause this interesting event to be made public. I have the honor to enclose copies of the resolutions of their high mightinesses on this subject, and to inform you that the States-General on the 23d day of April, appoint a grand committee to confer with Mr. Adams, to whom, having been introduced in the usual forms by the noblemen, he laid before them the plan of a treaty of amity and commerce, which was immediately printed and sent to the different members of the sovereignty.

I can not conclude without congratulating your excellency upon an event which widens the basis of our independence and leads to an immediate connexion with a powerful nation, whose alliance a variety of circumstances in their origin and government render extremely desirable.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

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Livingston to Adams.†

PHILADELPHIA, *September 15, 1782.*

DEAR SIR: I have been favored with your letters from the 19th April to the 5th of July, by the *Heer Adams*. How impatiently they have been expected you will be able to judge by mine of the 29th ultimo which you will receive with this. The events they announce are considered of the utmost importance here and have been directed to be officially communicated to the different States.

Your loan is approved, and the ratification herewith transmitted. The resolution which will accompany this will be a sufficient spur to induce you to extend every nerve to get it filled; for if the war continues it will be essential to our exertions; if it should terminate, it will not be less necessary to enable us to discharge our army; in every view it is necessary. In the present situation of the States, money can be raised but slowly by taxation. New systems must be introduced which can not without difficulty be adopted in the hurry, confusion, and distress of a war. They will, however, be adopted. Congress are con-

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 199.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 651.

stantly employed in discussing the means for a regular payment of the interest and the gradual discharge of the principal of their debt.

The other resolution arises from the difficulty of ascertaining what are really the funds of the United States in Europe, when more than one person can dispose of them. I am satisfied this resolution will meet your approbation, from the rule which you say you have prescribed to yourself. It will, I dare say, be equally agreeable to our ministers to be released from the troublesome task of bankers to the United States.

You mention the negotiations on the *tapis* in Paris, but so slightly, as to leave us in the dark concerning their progress, presuming (as indeed you might have done on probable grounds) that we should receive information on that subject from Dr. Franklin, but unfortunately we have learnt nothing from him. I must beg, therefore, in order to open as many channels of information as possible, that you would give me, not only the state of your own affairs, but every other information which you may receive from our other ministers or through any other authentic channel.

I observe your last memorial or note is in French. Would it not be expedient and more for our honor if all our ministers at every court were to speak the language of our own country, which would at least preserve them from errors, which an equivocal term might lead them into? I mention this merely as a hint, which is submitted to your judgment.

We are informed that the *Aigle* and *Gloire*, two frigates from France, have just entered the Capes, closely pursued by a British ship of the line and three frigates. It is strongly apprehended from the situation in which they were left that they must either be destroyed or fall into the enemy's hands.

Pigot is arrived at New York, with twenty six sail of the line. The late changes in administration seem to have made such a change here that I much doubt whether they will quit us this fall, at least till they hear again from England, though they certainly were making every disposition for it before. I will keep this letter open till I hear the fate of the frigates and know whether our despatches by them can be preserved.

M. Dumas's application is before Congress. They may possibly appoint him secretary to the legation, which I heartily wish they may, as he certainly has been an assiduous and faithful servant. But there is no probability of their going further as they would not choose to appoint any but an American to so important an office as that of chargé d'affaires. Nor will their present system of economy permit them to make so great an addition to his salary as you mention, which is much greater than is usually allowed to secretaries, as their circumstances require it to be less.

*September 18th.* The *Aigle*, Captain La Fouché, has been driven on shore and is lost within the Capes; her despatches, money, and pas-

sengers have, however, happily been saved. The *Gloire*, the other  
ate, has arrived at Chester. I find no despatches from you among  
letters that have come to hand; nor anything from Holland but de  
cates of letters from M. Dumas. Congress yesterday passed the  
next resolution, which needs no comment.

I am, sir, &c.

ROBERT B. LIVINGSTON

Secret Journals of Congress—H. Laurens' appointment as negotiator  
peace.\*

SEPTEMBER 17, 1782

On the report of a committee consisting of Mr. Rutledge, Mr. Du  
and Mr. Madison, to whom were referred a motion of Mr. Rutle  
and a letter of the 30th of May from the honorable H. Laurens, wher  
he informs that "on the 10th of that month he received from Dr. Fra  
lin a formal notification of his appointment in the commission for tre  
ing with Great Britain, and also a copy of said commission; that  
left London on the 11th and arrived at Ostend on the 15th, from wher  
he informed Dr. Franklin that he declined the honour of that office:

*Resolved*, That the honourable Henry Laurens be informed, in ans  
to his letter of the 30th of May, 1782, that the reasons which induc  
the United States in Congress assembled to appoint him to be one  
their ministers plenipotentiary for negotiating a peace still existing, l  
services in the execution of that trust cannot be dispensed with.

On the question to agree to this, the yeas and nays being required  
Mr. Izard—

New Hampshire .....	Mr. Gilman .....	Aye.	Aye.
Massachusetts .....	{ Mr. Osgood .....	Aye.	{ Aye.
	{ Mr. Jackson .....	Aye.	{
Rhode Island .....	{ Mr. Cornell .....	Aye.	{ Aye.
	{ Mr. Howell .....	Aye.	{
Connecticut .....	{ Mr. Huntington .....	Aye.	{ Aye.
	{ Mr. Dyer .....	Aye.	{
New York .....	{ Mr. Duane .....	Aye.	{ Aye.
	{ Mr. L'Houmedieu .....	Aye.	{
New Jersey .....	{ Mr. Boudinot .....	Aye.	{ Aye.
	{ Mr. Condict .....	No.	{
	{ Mr. Witherspoon .....	Aye.	{
Pennsylvania .....	{ Mr. Montgomery .....	Aye.	{ Aye.
	{ Mr. Smith .....	Aye.	{
	{ Mr. Clymer .....	Aye.	{
	{ Mr. Atlee .....	No.	{
Delaware .....	Mr. McKean .....	Aye.	Aye.
Maryland .....	{ Mr. Hanson .....	Aye.	{ 0
	{ Mr. Carroll .....	No.	{
Virginia .....	{ Mr. Madison .....	Aye.	{ Aye.
	{ Mr. Bland .....	Aye.	{
	{ Mr. Lee .....	Aye.	{
North Carolina .....	Mr. Williamson .....	Aye.	Aye.

\* MSS. Dep. of State; see *infra*, under Sept. 19, proposition for vacating this ve

South Carolina .....	{	Mr. Rutledge .....	Aye.	}	Aye.
		Mr. Ramsay .....	Aye.		
		Mr. Izard .....	Aye.		
		Mr. Gervais .....	Aye.		
		Mr. Middleton .....	Aye.		
Georgia .....	{	Mr. Jones .....	Aye.	}	Aye.
		Mr. Few .....	Aye.		

So it was resolved in the affirmative.

*Resolved*, That the honorable John Adams, Benjamin Franklin, John Jay, and Henry Laurens be respectively informed that it is the pleasure and express direction of Congress that they punctually attend and assist in the negotiations for peace; and that each of them be instructed, upon receiving information of the time and place appointed for opening the negotiations, immediately to give notice thereof to the rest that may be in Europe, in order that each may have a seasonable opportunity to take part in the trust reposed by the said commission and earnestly enjoined by this act.

SEPTEMBER 20, 1782.

A motion was made by Mr. Madison, seconded by Mr. J. Jones,

That the resolution of the 17th day of September, 1782, informing Mr. Laurens that his services as a minister plenipotentiary for negotiating peace can not be dispensed with by Congress and so much of the other resolution of the same date as relates to Mr. Laurens, be not transmitted till the further order of Congress.

On the question to agree to this, the yeas and nays being required by Mr. Wright—

New Hampshire .....	Mr. Gilman.....	Aye.	Aye.		
Massachusetts .....	{	Mr. Osgood .....	No.	{	No.
		Mr. Jackson.....	No.		
Rhode Island.....	Mr. Howell .....	Aye.	Aye.		
Connecticut .....	{	Mr. Huntingdon .....	No.	{	No.
		Mr. Dyer .....	No.		
New York .....	{	Mr. Duane .....	No.	{	No.
		Mr. L'Hommedieu .....	No.		
New Jersey .....	{	Mr. Clarke .....	Aye.	{	Aye.
		Mr. Boudinot.....	No.		
		Mr. Condict .....	Aye.		
Pennsylvania.....	{	Mr. Montgomery .....	No.	{	Aye.
		Mr. Smith .....	Aye.		
		Mr. Clymer.....	Aye.		
		Mr. Atlee.....	Aye.		
Delaware.....	Mr. McKean.....	No.	No.		
Maryland .....	{	Mr. Hanson.....	Aye.	{	Aye.
		Mr. Carroll .....	Aye.		
		Mr. Wright.....	Aye.		
Virginia.....	{	Mr. J. Jones.....	Aye.	{	0.
		Mr. Madison.....	Aye.		
		Mr. Bland .....	No.		
		Mr. Lee.....	No.		
North Carolina .....	Mr. Williamson.....	No.	No.		
South Carolina .....	{	Mr. Rutledge .....	No.	{	No.
		Mr. Ramsay .....	No.		
		Mr. Izard.....	No.		
		Mr. Gervais .....	No.		
		Mr. Middleton.....	No.		
Georgia .....	{	Mr. Jones .....	No.	{	No.
		Mr. Few.....	No.		

So the question was lost.

J. Adams to Dana.\*

THE HAGUE, *September 17, 1782.*

MY DEAR FRIEND: It grieves me when I think how long it is since I wrote to you. But my head and hands and heart have been all full.

I sent to the care of the Dutch ambassador General Washington's miniature for you; should be glad to know whether you have received it. I have also sent along several despatches from our secretary of foreign affairs. Have you received them?

*Fitzherbert's commission is to treat with the King of France and the ministers quorumcunque principum vel statuum quorum interesse poterit; and Oswald's is to treat, consult of, agree, and conclude with any commissioner or commissioners named, or to be named, by the said colonies or plantations, or with any body or bodies, corporate or politic, or any assembly or assemblies, or description of men, or any person or persons whatsoever, a peace or a truce with the said colonies or plantations, or any of them, or any part or parts thereof. I said his commission; but he has none. He has only an order to the Attorney-General to make out such a commission.*

*Thus, you see, there is yet no proof of Shelburne's sincerity. In short, nothing will be done until Parliament meets, nor then, unless they take upon them to acknowledge the independence of the United States.*

If Gibraltar is succored and holds out, Britain will not cede it. In short, we shall have another campaign. No peace until 1784, if then.

What is the story of the insurrection in the Crimea? What powers of Europe are any way connected with that affair or interested in it? Is it likely to have any consequences, and what? You have concluded, I hope, to stay another winter. You must absolutely send my son to me by the earliest neutral vessel to the Texel in the spring. My love to him. I have not time to write to him now. He does not tell me how his studies go on.

I shall sign the treaty of commerce next week; all articles, words, syllables, and letters, and points are adjusted, and nothing remains but to write five fair copies, in Dutch and English, and sign, seal, and deliver them. My loan is in cash, better than fifteen hundred thousand guilders. So that we go on, you see, pretty well. The standard of the United States waves and flies at The Hague in triumph over Sir Joseph Yorke's insolence and British pride. When I go to heaven I shall look down over the battlements with pleasure upon the Stripes and Stars wantoning in the wind at The Hague. There is another triumph in the case, sweeter than that over our enemies. You know my meaning; it is the triumph of stubborn independence. Independence of friends and foes. "*Monsieur, votre fermeté a fait un très bon effet ici,*" has been repeated to me more than once. "*Monsieur, vous avez frappé le plus grand coup de toute l'Europe.*" "*Cette événement fait un honneur infini à M. Adams.*" "*C'est ce qui a effrayé les Anglomanes et rempli cette nation*



*d'enthousiasme*," &c. These are "confessions *arrachées*," and therefore more delicious.

I am now upon extreme good terms with the ministers of France and Spain. I dine with both and they dine with me, &c., and I meet the whole *corps diplomatique* at their houses, as well as at court, and might meet them every morning, at a certain *rendezvous* of intelligence, and every evening, at an assembly, at cards, if I had not something else to do.

Adieu, my dear friend. Write me as often as you can.

JOHN ADAMS.

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J. Adams to Livingston.\*

THE HAGUE, *September 17, 1782.*

SIR: This morning I was in conference with M. Fagel, in order to make the last corrections in the language of the treaty, which is to be executed in English and Dutch, as that with the crown of France was in English and French. We have now, I hope, agreed upon every word, if not every point, and nothing remains but to make five fair copies of it for signature, which, however, is no little labor. The secretary thinks he shall accomplish them in the course of this week, and part of the next, so that they may be signed by the latter end of next week, or perhaps the middle. The secretary, who has always been complaisant, was more so than ever to-day. He congratulated me upon the prospect of a speedy conclusion of this matter; hoped it would be highly beneficial to both nations and that our posterity might have cause to rejoice in it even more than we. He says the usage is for two deputies to sign it on the part of Holland, and one on the part of each other province, so that there will be eight signers in behalf of the Republic.

It is now nearly five months since I was publicly received and proposed a project of a treaty. All this time it has taken the several provinces and cities to examine, make their remarks and fresh propositions, and bring the matter to a conclusion. It would not have been so long, however, if the court had been delighted with the business. But, in a case where unanimity was requisite and the court not pleased, it was necessary to proceed with all the softness, caution, and prudence possible, that no ill humors might be stirred. Yet, in a case where the nation's heart is so engaged, in which its commerce and love of money is so interested, what wretched policy is it in this court to show even a lukewarmness, much more an aversion. Yet such is the policy, and such it will be. The Prince of Orange is to all appearance as incurable as George the Third, his cousin.

I was afterwards an hour with the French ambassador, at his house. He tells me his last letters from the Count de Vergennes says he has

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 653, with verbal changes, &c.; 7 J. Adams' Works, 633.

yet seen no appearance of sincerity on the part of the British ministry in the negotiations for peace. Of this Congress will be easily convinced by the copies I have transmitted of the commissions of Mr. Fitzherbert and Oswald.

The subject of our conversation was the means of getting out the Dutch fleet, which is now in the Texel, although the British fleet, under Milbank, is returned to Portsmouth, and probably sailed with Lord Howe for Gibraltar. I asked the duke, where is the combined fleet? His last accounts were that they were off Cape Ortegal, endeavoring to get round Cape Finisterre to Cadiz. He speaks of it as doubtful whether they will give battle to Lord Howe, because the Spanish ships, with an equal number of guns, are of a smaller calibre than the English; but hopes that the blow will be struck before Howe arrives. The means of getting the fleet out of the Texel, to intercept a fleet of English ships from the Baltic, came next under consideration. But the wind is not fair. It might have gone out, but they had not intelligence.

I asked who it was that governed naval matters. He answered, the prince. But surely the prince must have some assistance, some confidential minister, officer, clerk, secretary, or servant. If he were a Solomon he could not manage the fleet and the whole system of intelligence and orders concerning it without aid. He said it is the college of the admiralty, and sometimes M. Bisdorn, who is a good man, and sometimes M. Van der Hope, who may be a good man; he has sense and art, but is suspected. Very well, says I, M. Bisdorn and M. Van der Hope ought to be held responsible, and the eyes of the public ought to be turned towards them, and they ought to satisfy the public. The duke said the prince is afraid of the consequences. He knows that the sensations of the people are very lively at present, and nobody knows what may be the consequence of their getting an opinion that there has been negligence or anything worse, which may have prevented them from striking a blow. I asked if they had any plan for obtaining intelligence, the soul of war, from England. He said the grand pensionary told him he paid very dear for intelligence.

However, I cannot learn and do not believe that they have any rational plan for obtaining intelligence necessary from every quarter, as they ought. They should have intelligence from every seaport in France, England, Scotland, Germany, and all round the Baltic, and they should have light frigates and small vessels out. But when war is unwillingly made everything is not done. The next subject was the proposition from Amsterdam for renewing the concert of operations for the next campaign.

Congress may hear of some further plans for a separate peace between Holland and England, but they will not succeed. The republic will stand firm, though it will not be so active as we could wish, and the concert of operations will be renewed.

I have the honor to be, &c.,

JOHN ADAMS.

EXTRACT FROM THE RECORDS OF THE RESOLUTIONS OF THEIR HIGH MIGHTINESSES  
THE STATES-GENERAL OF THE UNITED NETHERLANDS.

TUESDAY, *September 17, 1782.*

The Lord Van Randwyk and others, deputies of their high mightinesses for the department of foreign affairs, in obedience to and in compliance with their resolution of the 23d of April of the present year, having conferred with Mr. Adams, minister plenipotentiary from the United States of America, respecting the entering into a treaty of amity and commerce with the said States, reported to this assembly that the said Mr. Adams on the 26th of April thereafter did deliver to them a plan of such a treaty requesting the same might be examined and that such articles might be added as might be deemed most serviceable. That the said gentlemen, deputies, after having consulted and advised with the committees of the respective colleges of the admiralty upon the said plan or skotch of a treaty made sundry observations thereon, and also sundry separate propositions, all of which on the 26th of August last they communicated to the said Mr. Adams, who, on the 27th following, returned his answer thereto, which, having compared with the said propositions and finding the same in substance conformable thereto, and all difficulties that had occurred entirely removed, they drew up a new treaty, and also a new convention on the subject of retaken prizes, in conformity to the determination that has been previously adopted and resolved on, and the treaties so prepared they handed to Mr. Adams on the 6th of this current month, who since has declared himself perfectly satisfied therewith.

Wherefore, the said gentlemen, deputies for foreign affairs, submit it to the consideration of their high mightinesses to determine whether it would not be proper and necessary to authorise them to conclude and sign with Mr. Adams the treaty and convention aforesaid.

Whereupon, having deliberated, it is found and judged right that the said treaty and convention be drawn out afresh and fair copies thereof made, in order that the finishing hand may be put thereto ; and the said Lord Van Randwyk and others, their high mightinesses' deputies for foreign affairs, are hereby requested and authorised to conclude and sign the said treaty and convention with the aforesaid Mr. Adams.

Compared with the record.

W. Z. VAN BORSSELE.  
H. FAGEL.

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J. Adams to Livingston.\*

THE HAGUE, *September 17, 1782.*

SIR: You will naturally inquire whether the neutral powers will continue their neutrality or whether the neutral confederacy will be broken.

No certain answer can be given to these questions. We must content ourselves with probabilities, which are strong for the continuance of the neutrality. Who indeed should break it? The emperor was thought to be the most unlikely potentate to accede to it; but he has acceded and has taken several steps which prove that he will not break it, at least by leaning toward England. Sweden is the steady

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 656, with verbal changes; 7 J. Adams' Works, 635.

friend of France. Prussia, whose inclinations and affections are certainly toward France and Holland and alienated from England, would certainly, at this age of life, be too cautious a politician to wage war for England against the houses of Bourbon and Austria, Holland and America.

There remains only Russia and Denmark. What can Russia do? This is a maritime war. She can't assist the English with land forces; and an hundred thousand men would do no good to England on land. Her boasted fleet, added to that of England, would only weaken it for several reasons. Among the rest, because England must maintain it with money, if not with officers and men, for cash is wanting in Russia. Denmark remains, but what can she do? Her islands in the West Indies, and her trade, are at mercy, and she would not have force enough to defend her own, much less to assist England, if she should declare war.

A doctrine prevails that an acknowledgment of the independence of America is an hostility against England, and consequently a breach of the neutrality. Our friends have sometimes favored this idea. The Duc de la Vauguyon has often expressed this sentiment to me; and if I am not mistaken, the Marquis de Vérac has said the same to Mr. Dana. If this opinion is not clear, it is very impolitic to favor it. The court of France, in their public memorials, have denied it, and it would be difficult to prove it, either by the law or practice of nations. Sending or receiving ambassadors, entering into peaceful commercial treaties, or at least negociating at Philadelphia the rights of neutral nations, is not taking arms against Great Britain.

But if the acknowledgment of our independence is an hostility, a denial of it is so too, and if the maritime confederation forbids the one it forbids both. None of the neutral nations can take the part of Great Britain, therefore, without breaking to pieces that great system, which has cost so much negociation and embraces so great a part of mankind.

The neutral powers set so high a value upon it and indeed make so great a profit by it that I think none of them will take the part of Great Britain. The connexions of the duke Louis of Brunswick in Denmark and Russia have set some little machines in motion, partly to favor him and partly to hold out an appearance of something fermenting for the benefit of Great Britain. But these will never succeed so far as to draw any nation into the war or to incline this Republic to make a separate peace.

It is to this source that I attribute certain observations that are circulated in pamphlets and in conversation, that there is at present an incoherence in the general system of Europe; that the emperor has deranged the whole system of the equilibrium of Europe, so that, if ever the northern powers should think of stopping by a confederation

the preponderance of the southern powers, Holland would be unable, on account of the demolition of the barriers, to accede to that confederation.

M. Magis, who has been eight and twenty years envoy at The Hague from the bishop of Liege and who converses more with all the foreign ministers here than any other, has said to me not long since, "Sir, the wheel rolls on too long and too rapidly one way; it must roll back again, somewhat, to come to its proper centre. The power of the house of Bourbon rises and that of Great Britain sinks too fast, and I believe the emperor, although he seems perfectly still at present, will come out at length and take the greatest part of any power in the final adjustment of affairs."

The Count de Mirable, the Sardinian minister, said to me upon another occasion, "Your country, sir, will be obliged, in the vicissitudes of things, to wheel round and take the part of England and such allies as she may obtain, in order to form a proper balance in the world." My answer to both was, "These sentiments betray a jealousy of a too sudden growth of the power of the house of Bourbon; but whose fault is it, if it is a fact (which it does not appear to be as yet), and whose fault will it be, if it should hereafter become a fact? Why do the neutral powers stand still and see it or imagine they see it, when it is so easy to put a stop to it? They have only to acknowledge American independence, and then neither the house of Bourbon nor England will have a colorable pretence for continuing the war, from which alone the jealousy can arise."

The Prince de Gallitzin said, not long since, that the conduct of this Republic in refusing a separate peace, etc., he feared would throw all Europe into a war, there were so many pretensions against England. I quote these sayings of foreign ministers because you express a desire to hear them and because they show all the color of argument in favor of England that anybody has advanced. All these ministers allow that American independence is decided, even the minister from Portugal, within a few days, said it to me expressly. It is therefore very unreasonable in them to grumble at what happens, merely in consequence of their neutrality.

It is the miserable policy of the Prince of Orange's counsellors, as I suppose, which has set a few springs in motion here. M. Markow, one of the ministers of Russia, and M. St. Saphorin, the minister from Denmark, are the most openly and busily in favor of England. But if, instead of endeavoring to excite jealousies and foment prejudices against the house of Bourbon or compassion towards England, they would endeavor to convince her of the necessity of acknowledging American independence, or to persuade the neutral powers to decide the point by setting the example, they would really serve England and the general cause of mankind. As it goes at present their negotiations

serve no cause whatever that I can conceive of, unless it be that of the Duke of Brunswick, and in the end it will appear that even he is not served by it.

I have the honor to be, &c.,

JOHN ADAMS.

Franklin to Hartley.\*

PASSY, *September 17, 1782.*

MY DEAR FRIEND: Since those acknowledged in my last I have received your several favors of August the 16th, 20th, and 26th. I have been a long time afflicted with the gravel and gout, which have much indisposed me for writing. I am even now in pain, but will no longer delay some answer.

I did not perfectly comprehend the nature of your appointment respecting the refugees, and I supposed you would in a subsequent letter explain it. But, as I now find you have declined the service, such explanation is become unnecessary.

I did receive the paper you inquire about, entitled *Preliminaries*, and dated May, 1782, but it was from you, and I know nothing of their having been communicated to this court. The third proposition, "that in case the negociation between Great Britain and the allies of America should not succeed, but the war continue between them, America should act and be treated as a neutral nation," appeared at first sight inadmissible, being contrary to our treaty. The truce, too, seems not to have been desired by any of the parties.

With unalterable esteem and affection, I am, my dear friend, ever yours, &c.,

B. FRANKLIN.

Livingston to H. Laurens.†

PHILADELPHIA, *September 17, 1782.*

SIR: Having learned by your letter to Congress of your enlargement from your long severe confinement, it becomes my duty to inform you that Congress were pleased to appoint me their Secretary to the United States for their Department of Foreign Affairs, and to direct that all communications with them from their ministers should be through me. In this view, sir, I have the honor to open this correspondence, forwarding the annexed resolutions. By the first of them, marked No. 1, you will learn that they are unwilling to deprive themselves of your assistance in the great business of negotiations for a general peace, which, though languid at present, cannot fail to be quickened by the first turn of fortune in favor of the allied powers, since the king and ministry of

\*2 Sparks' Dip. Rev. Corr., 377; 9 Sparks' Franklin, 411; 8 Bigelow's Franklin, 171.

†MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 725, with verbal changes.



England are evidently trusting to the weak hope that some brilliant stroke will turn the popular tide in favor of the prosecution of the war. Should she, as she probably will, be disappointed in this, she will be compelled to fly to peace for refuge against impending ruin. The second resolution needs no comment. We have no intelligence here but what I have written to some of the gentlemen in commission with you or what may be found in the papers I do myself the honor to transmit to you.

I sent Dr. Franklin bills for two quarters of your salary, drawn under your first commission. I shall, in future, in stating your account, consider you as acting under your second. As our ministers are expressly prohibited by resolutions, transmitted by this conveyance, from making any dispositions of money in Europe, it becomes necessary that they should have agents here to state their accounts, and vest the amount of their salaries in bills, and remit them. I have taken this task upon me hitherto, and you will find by the bills drawn in your favor since January that your advantage in this mode, from the low price of bills, will enable you without loss to pay an agent here. You will be so obliging as to transmit to me your receipt, and a state of your demands against the public, that I may get them discharged for you.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Livingston to Jay.\*

PHILADELPHIA, *September 18, 1782.*

DEAR SIR: Since closing the despatches you will receive with this, I was honored with yours of June. Nothing material having since occurred, I only write to enclose the annexed resolutions of Congress on the subject of your powers for negociating. I see by yours that you entertain no hope of a speedy termination of that business, even though you were then unacquainted with the change that has since taken place in the administration, and which renders peace a more remote object. It has certainly wrought a great change here. The state of negotiations we are yet to learn, as neither you nor the doctor have entered into that subject.

I hope my despatches by Mr. Laurens, with the ciphers under his care, have reached you in safety, as very few either of your or Dr. Franklin's letters which passed through the channel through which I usually receive them, come to me uninspected. Be pleased to acknowledge the receipt of my letters, that I may know which have reached you.

I am, dear sir,

ROBERT R. LIVINGSTON.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 461.

Jay to Livingston.\*

PARIS, *September 18, 1782.*

DEAR SIR: I send you herewith enclosed a copy of a translation of an important letter.† The original in French I have not seen, and at present is not accessible to me, though I shall endeavor to get a copy of it, in order the better to decide on the correctness of the translation. I am not at liberty to mention the manner in which this paper came to my hands. To me it appears of importance that it should for the present be kept a profound secret, though I do not see how that is to be done if communicated to the Congress at large, among whom there always have been, and always will be, some unguarded members. I think, however, as I thought before, that your commissioners here should be left at liberty to pursue the sentiments of their country, and such of their own as may correspond with those of their country.

I am persuaded (and you shall know my reasons for it) that this court chooses to postpone an acknowledgment of our independence by Britain to the conclusion of a general peace in order to keep us under their direction, until not only their and our objects are attained, but also until Spain shall be gratified in her demands to exclude everybody from the gulf, &c. We ought not let France know that we have such ideas. While they think us free from suspicion they will be more open, and we should make no other use of this discovery than to put us on our guard. Count de Vergennes would have us treat with Mr. Oswald, though his commission calls us colonies, and authorises him to treat with any description of men, &c. In my opinion we can only treat as an independent nation and on an equal footing. I am at present engaged in preparing a statement of objections in a letter to him, so that I have not time to write very particularly to you. The Spanish ambassador presses me to proceed, but keeps back his powers. I tell him that an exchange of copies of our commissions is a necessary and usual previous step. This court, as well as Spain, will dispute our extension to the Mississippi. — You see how necessary prudence and entire circumspection will be on your side, and if possible secrecy. I ought to add that Dr. Franklin does not see the conduct of this court in the light I do, and that he believes they mean nothing in their proceedings but what is friendly, fair, and honorable. Facts and future events must determine which of us is mistaken. As soon as I can possibly have time and health to give you details, you shall have them. Let us be honest and grateful to France, but let us think for ourselves.

With great regard and esteem, I am, &c.,

JOHN JAY.

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 460.

† Alleged to be from Marbois to Vergennes, and discussed in note to Marbois' letter of March 13, 1782.

Livingston to Dana.\*

PHILADELPHIA, *September* 18, 1782.

SIR: I have just now received your favor of the 30th of March, it being the only letter we have had from you in eleven months. No. 1, one of March 5th, never reached me. I was compelled, from the variety of things that press upon me at this time, to answer in fewer words than I would wish to do. Your observations on the trade of Russia are very pertinent and afford us some useful hints, and, as none of the actions of the empress, who has at present, by the force of her own abilities, such influence upon the affairs of Europe, can be indifferent to us, we feel an interest in the statement you give us of her connexion with the Porte. You have, however, been totally silent upon a subject that interests us more immediately. You say nothing of your own situation, whether you are known or concealed; whether you have conversed with the minister or thought it prudent to keep at a distance till a more favorable moment offers, whether our cause gains or loses ground at Petersburg, and what means you use to support it; whether you have had any conversation with the French ambassador since that you detailed to us, and what the result of your conferences with him have been. These are points upon which we should not be left in the dark.

As to ourselves, nothing important has been done in the military line this summer. The enemy has remained inactive, and our disappointment in the expected naval aid, from the misfortune of Count de Grasse, has compelled us hitherto to be so too, though we never at any period of the war had so respectable an army, if we take into view either their numbers, their discipline, or their supplies of every kind. The French troops from Virginia have just joined ours on the banks of the Hudson. The feeble attempt of the British to dissolve the alliance formed against them, by detaching us from France or France from us, was received here with contempt, and almost every legislature on the continent immediately passed unanimous resolutions expressive of their determination to make no peace in which the interest of their allies was not included. Congress refused to receive Mr. Morgan, secretary to General Carleton.

The change which afterwards took place in the British administration has made a very important alteration in their system here. Savannah was evacuated, and the proposed evacuation of Charleston has been announced in general orders. Everything seemed to speak the evacuation of New York, when we learnt that a second change has taken place, and that the death of the Marquis of Rockingham has put Lord Shelburne at the head of the administration.

[This I suppose from his character will naturally lead to little shifting schemes and that weak and undecided politic which, governing itself

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\*MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 637.

by every change of circumstances, has already brought the British nation to the verge of ruin.\*]

The enclosed letter from General Carleton and Admiral Digby, commissioners for making peace, is such a glaring evidence against them, if they change their conduct towards us, that I wish you to have it published.

I am, sir, your most obedient, humble servant,

ROBERT R. LIVINGSTON.

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Livingston to La Fayette.†

PHILADELPHIA, *September 18, 1782.*

You should not, my dear sir, have been thus long without hearing from me had I not persuaded myself that I should see you before a letter could reach you. I still entertain this hope from a passage in Dr. Franklin's letter, but have been in this often disappointed; I will not indulge in it longer so far as to let it arrest my pen.

The Count de Segur delivered me your letters of April. I thank you sincerely for having made him the bearer of them, since you know the eagerness with which I embrace your friends, even without taking into consideration that merit which makes them so. The count leaves town for the army to-day, so that I shall not have the full benefit of your introduction to him till next winter, when I flatter myself you will join our circle. The Prince de Broglie told me last night that he had a letter from you to me. I expect to see him here this morning.

I cannot help remarking the just estimate you made of the British ministry. Late events have fully justified it. They are made up of heterogeneous particles, and, as might naturally be expected, they begin to fly off from each other. You have nothing to apprehend from your adopted country. We are immovably fixed in our determination to adhere to our allies in spite of every endeavor to change our sentiments. I am sorry I have not leisure to enlarge; my horses wait to carry me to the banks of the Hudson while I write; let me, however, inform you of the misfortune that has happened to Chevalier de Latouche; his frigate, being pursued by the enemy, was run on shore in the Delaware and is lost. The gentlemen, his passengers, are, however, happily saved, together with the money and papers. Everything else is lost and, what is most to be lamented, he himself must have fallen into the hands of the enemy. The flag that went to inquire his fate is not yet returned.

The fleet of the Marquis de Vaudreuil has also sustained a loss in the sinking of the *Magnifique* in the harbor of Boston. Congress have endeavored to repair this by presenting the *America* to his majesty.

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\*Passage in brackets omitted in Sparks' ed.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 398, with verbal changes.

The troops from Virginia have joined those on the Hudson. Our army is in noble order at present; you will be charmed to see our countrymen well dressed, since you used to admire them even in their [natural beauties].\*

I send you the papers for a month back; they contain all our public news, and some particulars worthy your attention.

I am, my dear sir, &c.,

ROBERT R. LIVINGSTON.

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Livingston to Franklin.†

PHILADELPHIA, *September* 18, 1782.

SIR: Just after closing my despatches I was favored with yours of the 25th of April and the 25th and 29th of June. The ships that brought them were so unfortunate as to be chased into the Delaware by a superior force. The *Eagle* was driven ashore and sunk. The papers and money were, however, happily saved, and part of the crew. But Captain la Fouché, not having been since heard of, is supposed to be taken. The other frigate has arrived safe, with all the passengers of both ships.

As I am just about to leave town for a short time, I will not touch upon the important subject mentioned in your letters, which will, on account of my absence be committed to a special committee.

I would only observe to you that the resolution in my last shows the sense of Congress on the subject of money matters. [Here follow 10 lines of cipher.]

You will see by the annexed resolutions that Congress have refused to accept Mr. Laurens' resignation, and that they have made some alteration in your powers.

I send the papers which contain the little news we have, and am, sir,  
ROBERT R. LIVINGSTON.

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Proceedings of Congress.—Proposed Recall of H. Laurens.

SEPTEMBER 19, 1782.

The character of Henry Laurens' imprisonment was brought before the House of Commons on December 17, 1781, by Burke, and led to a long discussion, in the course of which Lord George Germaine said that he had a letter of November, 1780, from Mr. Laurens, returning thanks for

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\*In Sparks' edition, "rags."

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 378.

“the indulgence he experienced.” On December 20 Burke arose to present a petition from Laurens, which is as follows : \*

The Right Hon'ble CHARLES WOLFRAM CORNWALL,

*Speaker of the hon'ble the House of Commons :*

The representation and prayer of Henry Laurens, a native of South Carolina, some time recognized by the British commissioners in America by the stile and title of His Excellency Henry Laurens, President of Congress, now a close prisoner in the Tower of London, *most respectfully sheweth :*

That your representer for many years, at the peril of his life and fortune, ardently † laboured to preserve and strengthen the ancient friendship between Great Britain and the colonies, and that in no instance he ever excited on either side the dissensions which separated them.

That the commencement of the present war was a subject of great grief to him, inasmuch as he foresaw and foretold, in letters now extant, the distresses which both countries experience at this day.

That in the rise and progress of the war he extended every act of kindness in his power to persons called loyalists and quietists, as well as to British prisoners of war, very ample proofs of which he can produce.

That he was captured on the American coast, where he saw exchange of British and American prisoners in a course of negotiation, and such an exchange and enlargement upon parole are mutually and daily practised in America.

That he was committed to the tower on the 6th of October, 1780, being then dangerously ill; that in the meantime he had in many respects, particularly being deprived, with very little exception, of the visits and consolations of his children and other relations and friends, suffered under a degree of rigor almost, if not altogether, unexampled in modern British history.

That from long confinement and the want of proper exercise, and other obvious causes, his bodily health is greatly impaired, and that he is now in a languishing state; and therefore your representer humbly prays your honors will condescend to take his case into consideration, and under proper conditions and restrictions grant him enlargement or such other relief as to the wisdom and benignity of your honors shall seem fitting.

HENRY LAURENS.

TOWER OF LONDON, *December 1, 1781.*‡

This petition is given also in London Annual Register for 1781, p. 322, to which is appended the following note :

“This petition was presented to the House in the form in which it came out of Mr. Laurens' own hand, it being written by him in the tower with a leaden pencil.” (See Introduction, § 173.)

This letter was the ground on which Madison, on September 19, 1782, appealed to Congress to withdraw from Laurens the commission pre-

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\* See 22 Parl. Hist., 874, ff., where the debate is given. This letter to the Speaker of the House of Commons, referring to it by its title, is admitted to be genuine by Laurens in a narrative published in the first volume of the proceedings of the South Carolina Historical Society (p. 57). In the same volume (p. 75) is a letter from his son (Henry Laurens) asking to be allowed to visit his father, “a father,” the letter says, “whose life and fortune have been more than once hazarded in favor of Great Britain for preventing the present unhappy war with America.”

† In Parliamentary History this is given as *evidently*.

‡ 22 Parl. Hist., 877; N. Y. Hist. Soc. Coll., 1878, 159.



viously issued to negotiate with Great Britain; and it was argued by Madison that the letter (1) ignored Laurens' official position as envoy from the United States, and (2) that it made services to Great Britain and indifference to the American cause a ground for indulgence. The authenticity of the letter was denied emphatically by Arthur Lee, who, after discrediting the journal in which the letter appeared (the Parliamentary Register), said that the petition which had been read was mean in sentiment and in diction, and altogether unworthy a man of sense; that it was wrote in so humiliating a style that to suppose M. L. to be the author of it would be to suppose him devoid of all understanding." Other members agreed in denying the authenticity of the letter, with, however, some qualifications. Thus N. W. Jones, of Georgia, said that even if Laurens "did write it it was not to be wondered at, considering how he was neglected and what he suffered." On September 20 Madison again urged the impropriety of sending as minister to Great Britain one who had just virtually admitted British supremacy, disclaiming his own diplomatic privilege. Rutledge, in reply, said, (1) "that there were the strongest arguments to believe that the petition there quoted was not genuine;" and (2) that "even granting it was genuine, there was nothing contained in it to warrant the present motion." Clarke, of New Jersey, "firmly believed that the petition was genuine. He did not think there was a member on the floor who doubted it." He then insisted that after Laurens renouncing the office the commission should not be "crammed down his throat." McKean "saw nothing criminal in the petition, nothing that affected the heart. He was inclined to think it might be genuine." Rutledge replied, saying, "for his part he very much doubted—nay, he believed it was not genuine, and several others were of the same opinion." Madison's motion, however, was lost by the following vote:

New Hampshire .....	Mr. Gilman.....	Aye.	Aye.
Massachusetts.....	{ Mr. Osgood .....	No.	{ No.
	{ Mr. Jackson .....	No.	
Rhode Island.....	Mr. Howell.....	Aye.	Aye.
Connecticut .....	{ Mr. Huntington .....	No.	{ No.
	{ Mr. Dyer .....	No.	
New York.....	{ Mr. Duane.....	No.	{ No.
	{ Mr. L'Hommedieu .....	No.	
New Jersey .....	{ Mr. Clark .....	Aye.	{ Aye.
	{ Mr. Boudinot .....	No.	
	{ Mr. Conduct .....	Aye.	
Pennsylvania.....	{ Mr. Montgomery.....	No.	{ Aye.
	{ Mr. Smith.....	Aye.	
	{ Mr. Clymer.....	Aye.	
	{ Mr. Atlee .....	Aye.	
Delaware.....	Mr. McKean.....	No.	No.
Maryland .....	{ Mr. Hanson .....	Aye.	{ Aye.
	{ Mr. Carrol.....	Aye.	
	{ Mr. Wright.....	Aye.	
Virginia .....	{ Mr. Jones .....	Aye.	{ 0.
	{ Mr. Madison.....	Aye.	
	{ Mr. Bland .....	No.	
	{ Mr. Lee .....	No.	

✓ N. Carolina.....	Mr. Williamson.....	No.	No.
	{ Mr. Rutledge.....	No.	} No.
	{ Mr. Ramsay .....	No.	
S. Carolina.....	{ Mr. Izard.....	No.	
	{ Mr. Gervais .....	No.	
	{ Mr. Middleton .....	No.	
Georgia .....	{ Mr. N. W. Jones .....	No.	} No.
	{ Mr. Few.....	No.	

So the motion was lost.\*

Mr. Burke, in his speech in the House of Commons on the address of thanks, November, 1781, said: "Earl Cornwallis was governor of the Tower of London, and consequently Mr. Laurens was his prisoner. Colonel Laurens, son of Mr. Laurens, was appointed captain-general of prisoners in America, and consequently Earl Cornwallis was prisoner to the son of his own prisoner. This was a circumstance which would incline a man the least addicted to superstition, to think that there was a special providence in this affair, brought about for the purpose of humbling the proud, and teaching to all the vicissitudes of fortune and the duties of tenderness and humanity."—22 Parliamentary Hist., 748.

In a letter from Osgood (member of Congress from Massachusetts) to John Adams, dated December 7, 1783 (Bancroft MSS.) it is said that "If it were really so (that I had written the letter in question) he had discovered so much weakness and so deeply wounded the honor and dignity of the United States, that he ought not on any account to be continued in his important trust. There was too much truth in the observation. But as the members of the Eastern States relied on him to join with you in supporting our claim and right to the fisheries, they could not consent to his suspension. Had it not been for this, he would have been suspended."†

In a memorandum by Oswald, enclosed to Shelburne, under date of December 29, 1782, is the following: "He (Laurens) is to set out for England the 15th next month, to go to Bath for his health, and perceiving that ever since this explanation (relative to the question of parol) he is in good humour, and occasionally likes to talk as an Englishman, there may arise some benefit to the public by an attention of some kind being properly shown to him, so as to turn his bias still more our way, or at least to fix it where it seems to rest."—Bancroft MSS. Madison's ultimate views on this vexed topic are given *supra* introduction, §173.

Benjamin Vaughan, on November 22, 1782, writes to Franklin as follows:

"You have perhaps heard that I have made a connection in the family of Mr. Manning, a West India merchant. Col. Laurens, also, made a like connection (now ended by the death of Mrs. Laurens). It has by this means happened to me that I

\* The debate is reported in detail in the New York Hist. Soc. Collec. for 1878, pp. 155, ff. See further, Madison to Randolph, *infra*, under date of Sept. 24, 1782.

† See also, *infra*, Madison to Randolph, Sept. 24, 1782; Livingston to Adams, Nov. 18, 1782.

have possession of the following facts, that Mr. L., the president, has exhausted his funds in England and government has made no provision for his support, by which means he is brought to the verge of real necessity. \* \* \* Mr. M. is and has always been Mr. L.'s merchant, but you will not wonder that he declines pecuniary assistance, as a man of spirit, under his present circumstances."

On June 7, 1782, Vaughan writes:

"Mr. Oswald perhaps may tell you of Mr. Laurens' strange behavior here. As I thought he might ask to see my first letter about him to you I made it very civil."

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Vaudreuil to Luzerne.\*

[Translation.]

BOSTON, *September 20*, 1782.

SIR: I have received with the greatest satisfaction the letter with which your excellency honored me on the 5th instant, with the copy of the resolution of Congress relative to the present made by Congress to the king's navy of the ship *America*. The eagerness of the United States to replace the *Magnifique*, which was lost without hope of being relieved, and the cordial manner in which they have offered the *America*, induce me to accept this vessel with much gratitude. I shall take care that she is promptly armed, and that she joins his majesty's squadron. M. de Macarty de Martaigne, who will command her, will go to Portsmouth to-day for that purpose, and I have given orders to the vessels in that port to furnish him with all the assistance that he may need.

I shall enjoy the honor, with which I feel much flattered, of numbering among my ships this mark of the friendship and regard of our allies.

I have the honor to be, &c.,

VAUDREUIL.

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Townshend to Oswald.†

WHITEHALL, *September 20*, 1782.

SIR: I received on Saturday last your packets of the 10th and 11th of this month.

A meeting of the king's confidential servants was held as soon as possible, to consider the contents of them, and it was at once agreed to make the alteration in the commission proposed by Dr. Franklin and Mr. Jay. I trust that the readiness with which this proposal has been accepted will be considered as an ample testimony of the openness and sincerity with which the government of this country is disposed to treat with the Americans.

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\* MSS. Dep. of State; 6 Sparks', Dip. Rev. Corr., 82.

† MSS. Dep. of State; 2 Sparks', Dip. Rev. Corr., 378.

The commission is passing with as much despatch as the forms of office will allow; but I thought it material that no delay should happen in giving you notice of the determination of his majesty's council upon this subject. You will receive the commission very soon after this reaches you.

I am, with great regard, &c.,

T. TOWNSHEND.

**Richard Oswald's Second Commission for Negotiating Peace.\***

SEPTEMBER 21, 1782.

George the Third, by the grace of God King of Great Britain, France, and Ireland, defender of the faith, and so forth. To our trusty and well-beloved Richard Oswald, of our city of London, esquire, greeting.

Whereas, by virtue of an act passed in the last session of parliament, entitled "An act to enable his majesty to conclude a peace or truce with certain colonies in North America therein mentioned," it is recited "that it is essential to the interest, welfare, and prosperity of Great Britain and the colonies or plantations of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in North America, that peace, intercourse, trade, and commerce should be restored between them:" Therefore, and for a full manifestation of our earnest wish and desire, and of that of our parliament, to put an end to the calamities of war, it is enacted that it should and might be lawful for us to treat, consult of, agree and conclude, with any commissioner or commissioners, named or to be named by the said colonies or plantations, or any of them respectively, or with any body or bodies, corporate or politic, or any assembly or assemblies, or description of men, or any person or persons whatsoever, a peace or a truce with the said colonies or plantations, or any of them, or any part or parts thereof, any law, act, or acts of parliament, matter, or thing to the contrary in anywise notwithstanding.

Now know ye, that we, reposing special trust in your wisdom, loyalty, diligence, and circumspection, in the management of the affairs to be hereby committed to your charge, have nominated and appointed, constituted and assigned, and by these presents do nominate and appoint, constitute and assign, you, the said Richard Oswald, to be our commissioner in that behalf, to use and exercise all and every the powers and authorities hereby entrusted and committed to you, the said Richard Oswald, and to do, perform, and execute all other matters and things hereby enjoined and committed to your care, during our will and pleasure and no longer, according to the tenor of these our letters patent. And it is our royal will and pleasure, and we do hereby authorize, empower,

\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 445.

and require you, the said Richard Oswald, to treat of, consult, and conclude with any *commissioners or persons vested with equal powers, by and on the part of the thirteen United States of America, viz, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New Jersey, Pennsylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in North America, a peace or a truce with the said thirteen United States*, any law, act, or acts of Parliament, matter, or thing to the contrary in anywise notwithstanding.\*

And it is our further will and pleasure that every regulation, provision, matter, or thing which shall have been agreed upon between you, the said Richard Oswald, and such *commissioners or persons as aforesaid*, with whom you shall have judged meet and sufficient to enter into such agreement, shall be fully and distinctly set forth in writing, and authenticated by your hand and seal on one side, *and by the hands and seals of such commissioners or persons on the other*, and such instrument, so authenticated, shall be by you transmitted to us, through one of our principal secretaries of state.

And it is our further will and pleasure that you, the said Richard Oswald, shall promise and engage for us and in our royal name and word that every regulation, provision, matter, or thing which may be agreed to and concluded by you, our said commissioner, shall be ratified and confirmed by us in the fullest manner and extent, and that we will not suffer them to be violated or counteracted, either in whole or in part, by any person whatsoever. And we do hereby require and command all our officers, civil and military, and all others our loving subjects whatsoever, to be aiding and assisting unto you, the said Richard Oswald, in the execution of this our commission, and of the powers and authorities herein contained; provided always, and we do hereby declare and ordain, that the several offices, powers, and authorities hereby granted shall cease, determine, and become utterly null and void on the first day of July, which shall be in the year of our Lord one thousand seven hundred and eighty-three; although we shall not otherwise in the meantime have revoked and determined the same.

*And whereas in and by our commission and letters patent, under our great seal of Great Britain, bearing date the seventh day of August last, we nominated and appointed, constituted and assigned, you, the said Richard Oswald, to be our commissioner to treat, consult of, agree, and conclude, with any commissioner or commissioners named or to be named by certain colonies or plantations in America therein specified, a peace or a truce with the said colonies or plantations, now know ye, that we have revoked and determined, and by these presents do revoke and determine, our said commission and letters patent, and all and every power, article, and thing*

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\* The parts of this commission which were altered or added in consequence of the objections of the American commissioners to Mr. Oswald's first commission are printed in italics.

*therein contained.* In witness whereof we have caused these our letters to be made patent.

Witness ourself at Westminster, the twenty-first day of September, in the twenty-second year of our reign. By the king himself.

YORKE.

PARIS, *October 1, 1782.*

I certify that the adjoining is a true copy of the commission of which it purports to be a copy, and which has been shown to Mr. Franklin and Mr. Jay.

RICHARD OSWALD,  
*The Commissioner therein named.*

Luzerne to the President of Congress.\*

[Translation.]

PHILADELPHIA, *September 23, 1782.*

SIR: The undersigned, minister plenipotentiary of France, has received orders to communicate to Congress many details relative to the negociation for peace. He is desirous that a committee should be appointed to receive these communications, and he will, at the same time, have the honor of informing Congress of some circumstances which concern the common cause and relate to the actual situation of affairs in Europe.

LUZERNE.

J. Adams to Livingston.†

THE HAGUE, *September 23, 1782.*

SIR: As this is a moment of great expectation, news of the greatest importance from the East Indies, from the West Indies, and North America, from Gibraltar, from Lord Howe's fleet, and the combined fleet being hourly looked for, I took this opportunity to return to the Spanish minister a visit which I owed him.

He told me that he trembled for the news we should have from Gibraltar. I asked him if he thought there would be a battle at sea. He answered, yes. He believed the combined fleet would meet Lord Howe and give him battle. I said that in this case it will probably be but a running fight. His lordship's object was to protect his convoy and get into the port, and he would not stop to fight more than should be unavoidable. De Llano, however, said that he believed the fate of Gibraltar would be decided before Howe could arrive—either the place taken

\* 6 Sparks' Dip. Rev. Corr., 82.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 659, with verbal changes; 7 J. Adams' Works, 638.



or the assault given over. By his advices the attack was to begin the 4th or 5th of September. Howe sailed the 12th and would be probably twenty days at least on his way, which would leave a space of twenty-seven or twenty-eight days for the attack, which would decide it one way or the other.

I did not think it proper to tell him my own apprehensions, and I wish I may be mistaken; but I have no expectation at all in my own mind that the combined fleet will meet Howe, that there will be any naval engagement, or that Gibraltar will surrender. They will make a horrid noise with their artillery against the place; but this noise will not terrify Elliot, and Gibraltar will remain to the English another year, and Lord Howe return to England, and all Europe will laugh. England, however, if she were wise, would say: What is sport to you is death to us who are ruined by these expenses. The earnest zeal of Spain to obtain that impenetrable rock, what has it not cost the house of Bourbon, this war? And what is the importance of it? A mere point of honor! A trophy of insolence to England and of humiliation to Spain! It is of no utility unless as an asylum for privateers in time of war; for it is not to be supposed that the powers of Europe, now that the freedom of commerce is so much esteemed, will permit either England or Spain to make use of this fortress and asylum as an instrument to exclude any nation from the navigation of the Mediterranean.

From the Hôtel d'Espagne, I went to that of France, and the Duc de la Vauguyon informed me that he had a letter from the Count de Vergennes informing him that he had received, in an indirect manner, a set of preliminary propositions, as from the British ministry, which they were said to be ready to sign; that he had sent M. de Rayneval to London to know with certainty whether those preliminaries came from proper authority or not.

Thus we see that two ministers from England and another from Holland are at Paris to make peace. The Count d'Aranda is said to have powers to treat on the part of Spain, Mr. Franklin and Mr. Jay are present on the part of the United States, and M. Gérard de Rayneval is at London. Yet, with all this, the British ministry have never yet given any proof of their sincerity, nor any authority to any one to treat with the United States. I believe the British ministry, even my Lord Shelburne, would give such powers if he dared. But they dare not. They are afraid of the king, of the old ministry, and a great party in the nation, irritated every moment by the refugees, who spare no pains and hesitate at no impostures to revive offensive hostilities in America. If Gibraltar should be relieved, and their fleets should arrive from the West Indies and the Baltic, and they should not have any very bad news from the East Indies, the nation will recover from its fright occasioned by the loss of Cornwallis, Minorca, and St. Kitts, and the ministry will not yet dare to acknowledge American independence. In this case Mr. Fox and Mr. Burke will lay their foundation of opposition, and

the state of the finances will give them great weight. But the ministry will find means to provide for another campaign.

But to return to the Duc de la Vauguyon, who informed me further that he had received instructions to propose to the Prince of Orange a new plan of concert of operations, viz: That the Dutch fleet, or, at least, a detachment of it, should now, in the absence of Lord Howe, sail from the Texel to Brest and join the French ships there in a cruise to intercept the British West India fleet. The prince does not appear pleased with the plan. He has not yet accepted it. The grand pensionary appears to approve it and support it with warmth. There is now a fine opportunity for the Dutch fleet to strike a blow, either alone upon the Baltic fleet, or in conjunction with the French, or even alone, upon the West India fleet. But the mainspring of the machine is broken or unbent. There is neither capacity nor good will among those that direct the navy.

At dinner, in the course of the day, with M. Gyzelaer, M. Visscher, and a number of the copatriots, at the Hôtel de Dort, they lamented this incurable misfortune. Some of them told me that the sums of money granted and expended upon their marine ought to have produced them a hundred and twenty vessels of war of all sizes, whereas they have not one-quarter of the number. They have no more than twelve of the line in the Texel, reckoning in the number two fifties, and they have not more than six or seven in all the docks of Amsterdam, Zealand, the Maes, and Friesland, which can be ready next year.

I have the honor to be, &c.,

JOHN ADAMS.

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Dana to Livingston.\*

ST. PETERSBURGH, *September 23, 1782.*

SIR: Your answer to my letters from the 28th of July to October, mentioned in yours of the 22d of May, has not reached me, nor have any of your letters except those the receipt of which is acknowledged in my last. That of the 22d of May, I received on the 29th of last month, but the newspapers which you say accompanied it were brought me by yesterday's post, at an expense of near four pounds sterling. How they came to be separated from your letter or who forwarded them to me, I know not.

It may be advisable to furnish me, when the time will admit of it, with authentic copies of such proceedings of Congress as I ought to be particularly informed about, or when these matters or any other of that nature are published in the newspapers to cut them out and enclose them in your letters. For I can not receive our newspapers through any other channel than the post, and at what expense you have a specimen above. I can not tell to what accident it has been owing that I

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\* MSS. Dep. of State ; 4 Sparks' Dip. Rev. Corr., 638.

never received the resolutions of Congress of the 26th of June, 1781, till the last week. Had I been possessed of them when I wrote my last, I should not have troubled you with an inquiry about the questions stated in my letter of the 24th of March, 1781, to which they seem to be intended as an answer. If Congress have made any alterations touching the subject of them as far as it can now concern me, I should be glad to know them.

As it seems to be the fixed determination of Congress that nothing shall be put to hazard here, I shall not think myself at liberty to take any official step to bring on the business of my mission, though the general state of affairs should seem to promise success, unless I have assurances that I shall be received and acknowledged in my public character. Congress must not expect any such assurances will begin on the part of this court so long as the court of London shall oppose any act by which we may be considered as an independent nation; for her Imperial majesty would not choose unnecessarily to give the least umbrage to the court of London, and, of course, if not called upon to do it, she will not make any advances to meet our views till all opposition shall cease. Her majesty and her ministers well know our policy is founded upon great and liberal principles, and they do not apprehend they shall lose any advantages by postponing a political connexion with us till the way is perfectly clear to form it.

There has no change taken place in the administration here, as you have been informed, since my arrival. Count Panin had retired from court before, and, though he still bears the title of chief of the college of foreign affairs, yet he takes not the least part in them. The vice chancellor, Count d'Ostermann, continues to conduct the etiquette of that department, as the first minister. Things appear to be governed still by the same influence and the same principles which took place upon the retirement of the former. I have attempted to write to you in your cipher, but find the scheme intolerably tedious and so liable to errors that I have been obliged to give it up. Besides, it has come to me through the post-office, and I am not sure they are not in possession of a copy of it. I will endeavor to prepare another scheme, which I think will be attended with much less trouble and be equally good on other accounts. I will forward it to Holland by Mr. Adams' son, who will soon leave me, when I shall be totally destitute of any assistance and deprived of any person into whose hands your papers might be committed in case of my death; nor is it possible here to procure any one in whom I could safely confide. I am the more easy about this as I propose to return to America as soon after I shall be received in my public character as the principal business of my mission shall be finished. I will myself bring any treaty I may conclude here for ratification, when I doubt not I shall be able to assign such reasons for my departure without express permission as will be satisfactory to Congress.

I have the honor to be, &c.,

FRANCIS DANA.

Madison to Edmund Randolph.\*

PHILADELPHIA, *September 24, 1782.*

DEAR SIR : The substance of the despatches brought by the French frigates, mentioned in my last, is that Mr. Oswald first, and afterwards Mr. Grenville, had been deputed to Versailles on a pacific mission; that the latter was still (twenty-ninth of June) at Versailles; that his proposals as to the point of independence were at first equivocal, but at length more explicit; that he associated with the preliminary that the treaty of Paris of 1763 should be the basis of the treaty in question; that as to this proposition he was answered; that as far as the treaty of '63 might be convenient for opening and facilitating a pacification, it would be admitted as a basis, but that it could not be admitted in any sense that should preclude his most Christian majesty from demanding such equitable arrangements as circumstances might warrant, and particularly in the East Indies and on the coast of Africa;† that upon these grounds there was at first a prospect that negotiations would be opened with mutual sincerity and be conducted to a speedy and happy issue; but that the success of the British navy in the West Indies had checked the ardor of the ministry for peace, and that it was pretty evident they meant to spin out the negotiation till the event of the campaign should be decided. You will take notice that this is a recital from memory, and not a transcript of the intelligence.

The frigate *L'Aigle*, whose fate was not completely determined at the date of my last, we hear has been raised by the enemy and carried to New York. Captain De La Touche and the crew were made prisoners. Besides merchandize to a great value (nearly fifty thousand dollars were lost), most of which fell into the hands of the captors. The loss of this ship is to be the more regretted as it appears that the two were particularly constructed and destined for the protection of the trade of this country.

Our ally has added another important link to the chain of benefits by which this country is bound to France. He has remitted to us all the interest which he has paid for us, or was due to him on loans to us, together with all the charges attending the Holland loan; and has, moreover, postponed the demand of the principal till one year after the war, and agreed to receive it then in twelve successive annual payments. These concessions amount to a very considerable reduction of the liquidated debt. The fresh and large demand which we are about to make on him, will, I fear, be thought an unfit return for such favors. It could not, however, be avoided. The arrears to the army in January next will be upwards of six millions of dollars. Taxes can not be relied

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\* 1 Madison Papers, 173; see as to H. Laurens, Introduction, § 173.

† Marbois, in an anticipation of the communications to be made by the minister of France, added, "on the coast of Newfoundland." In the communications it was omitted.

on. Without money there is some reason to surmise that it may be as difficult to disband an army as it has been to raise an army.

My last informed you that Mr. Laurens had declined serving in the commission for peace. His proceedings during his captivity, as stated by himself, are far from unexceptionable. Congress, nevertheless, were prevailed on to assent to a resolution informing him that his services could not be dispensed with. A few days after this resolution had passed, several numbers of the Parliamentary Register were received at the office of foreign affairs, in one of which was published the enclosed petition. The petition was introduced by Mr. Burke, was a subject of some debate, and finally ordered to lie on the table. The extreme impropriety of a representative of the United States addressing that very authority against which they had made war, in the language of the address, determined Mr. Jones and myself to move that the resolution above referred to should not be transmitted until the further order of Congress. In support of the motion it was observed, that however venial the fault might be in a private view, it evidently rendered Mr. Laurens no longer a fit depository for the public dignity and rights, which he had so far degraded, and that if Congress should reinstate him against his own desire, and with this fact before their eyes, it would seem as if they meant to ratify, instead of disowning the degradation. The motion was opposed on two grounds; first, that the character of Mr. Laurens and the silence of his letter overbalanced the testimony of the Register, and rendered the fact incredible; secondly, that the fact, although faulty, ought to have no influence on the public arrangements. The first objection was the prevailing one. The second was abetted by but few. Several professed a readiness to renounce their friend in case the authenticity of the paper should be verified. On the question there were five noes, three ayes, two divided, two half votes aye. The petition had been published some time ago at New York, and had made some noise in New Jersey, but was ultimately regarded as spurious. There are so many circumstances relating to this gentleman during his captivity, which speak a bias towards the British nation, and an undue cordiality with its new leaders, that I dread his participation in the work of peace.

Your favor of the seventh, which had not arrived last post day, came a few days afterwards, the post having been detained by sickness. The subsequent one came to hand yesterday in due time. The expedient of drawing bills here on funds in Virginia, even the most unquestionable, has been often tried by us, but in vain. The balance is so much against Virginia that no one wants money there, and the evil will increase as the prospect of peace retires. Your credit with Mr. Cohen, which procured me fifty pounds, with two hundred dollars transmitted by Mr. Ambler, have been of much service to me, but I am relapsing fast into distress. The case of my brethren is equally alarming.



As some of Mr. Laurens' friends strenuously maintain that the petition enclosed is spurious, I would not wish it to be made public through me until the matter be ascertained or he be present to explain it.

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Morris to Messrs. Le Couteulx & Co.\*

OFFICE OF FINANCE, *September 24, 1782.*

GENTLEMEN: Enclosed you have letters of this date to the house of Messrs. Le Couteulx, at Cadiz, and to Wilhelm and Jan Willink, Nicholas and Jacob Van Staphorst, and De la Land and Fynjē, at Amsterdam. These two letters, which I am to request that you will forward, are left open for your perusal and will explain to you the object which I now have in view.

The United States having moneys in Holland which are very necessary for the public service here, I have deemed it best to bring them through the Havana for the following reasons: First, bills of exchange cannot be negotiated here to the necessary amount, and are even then negotiated at the rate of thirteen per cent. discount. Secondly, as it is, therefore, necessary to import money, the risk is less from the Havana than from Europe. Thirdly, it might not be agreeable to the prejudices of many to draw from Europe their circulating coin. And, fourthly, I expect that a considerable gain will be made on the negotiations. Thus, for instance, to take it in its greatest extent, I am informed that bills on Cadiz, at thirty days' sight, sell at the Havana for an advance of eight per cent., and that bills on Paris sell at Cadiz for an advance of nine per cent., and there is also an advance on bills drawn from Paris on Amsterdam; to which may be added that a considerable time is also gained in these various negotiations; and, therefore, if any benefit can be derived to the United States from that circumstance, you will govern yourself accordingly. In this, as well as in every other circumstance relating to the business, I have on you, gentlemen, the most perfect reliance.

I think it will be best for you to know immediately of the gentlemen in Amsterdam, whether they will answer your drafts to the amount; because, if they should raise any obstacles in the way, those may be removed in season from this country, provided an early notice be transmitted; for I expect you will receive this letter by the time Mr. ——— reaches the Havana, if not before; and I do not suppose that his bills can reach Cadiz in less than two months; and, of course, at one usance only (and they shall, if that can be done without loss, be drawn at two usances) they will not be payable until three months, and then, if time is necessary, you will direct the house in Cadiz to draw at two usances more, which will bring the business to between five and six months from your receipt of my letters. At any rate, it will not do that Mr.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 537.



———'s bills be protested; I must rely on you to prevent an accident which would be attended with such fatal consequences, and shall take measures to put you in a capacity to answer them seasonably.

With perfect respect, &c.,

ROBERT MORRIS.

P. S.—You will observe that there is in the foregoing letter a blank for the name of the person who is to be employed in this business. The reason is that the gentleman I spoke to on the subject is prevented by the circumstances of his family from going to Havana. I shall write to you further on the subject when I shall have taken other arrangements.

R. M.

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Morris to Messrs. Willink & Co.\*

OFFICE OF FINANCE, *September 24, 1782.*

GENTLEMEN: Presuming from the letters of yourself and of Mr. Adams that the loan opened on account of the United States of America under your auspices is filled, I do myself the honor to enclose you sundry acts of Congress, by which you will see that the amount is subject to my disposal. Whatever measures I may take, you will from time to time receive due notice of, unless the miscarriage of letters by the accidents to which they are at present subjected should prevent.

I have now in view a money negotiation, which may or may not take place according to circumstances, but which will probably be accomplished, to the amount of from one to two millions of florins. If it should be effected, Messrs. Le Conteulx & Co., bankers at Paris, will have occasion to draw on you. I am now, therefore, to desire that the bills drawn by that house, to whatever amount, be punctually honored and paid on account of the United States. It is in a reliance on this that I shall take my measures, and a failure of payment would be attended with the worst consequences.

I have the honor to be, with perfect respect, &c.,

ROBERT MORRIS.

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Luzerne to a Committee of Congress.†

IN CONGRESS, *September 24, 1782.*

The committee, consisting of Mr. Carroll, Mr. Jones, Mr. Izard, and Mr. Bland, appointed to hold a conference with the Chevalier de la Luzerne, minister of France, in pursuance of his note to Congress of the 23d, report:

That yesterday your committee held a conference with the minister

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 537.

† Secret Journals of Congress; MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 83, with verbal changes.

of France, agreeably to the said appointment, the substance of which consisted in the communication of advices lately received by the said minister of France from his excellency the Count de Vergennes, as follows:

The minister informed the committee he had received several despatches from his court, of which he thought it his duty to communicate an extract to Congress.

The first was dated 9th April last. It expressed the opinion of the Count de Vergennes that the court of St. James had formed a design to make a separate peace with one or more of the powers at war with it. That France was perfectly easy with respect to the disposition of Congress, and that the uniformity and steadfastness of their conduct did not leave the least doubt with regard to the part they would take in this circumstance. That the steps the king had taken on a similar occasion, and the disappointment of several British emissaries, was already known to Congress. That they had met with the same reception at Madrid, and there was the greatest probability that their intrigues would not be more successful at The Hague. The minister of France observed that the glory and honor of the present confederacy, of which his majesty was the centre, would be their having been inaccessible to artifice, and this extraordinary instance would be crowned with success if the four powers persisted invariably in a firm attachment to their union; and if, on the one hand, making the greatest exertions to procure the completest satisfaction, they, on the other, confined themselves within such bounds of moderation as would give no umbrage to any one of the powers at war with Great Britain.

That the king had, in different circumstances, taken the proper measures to deprive the enemy of all hopes which they might have formed of introducing dissensions between his majesty and his allies. That it was to be wished that the court of London was fully convinced of the impossibility of treating separately with America. That this had always been the chimerical and favorite idea of England, and that, so long as it subsisted, there would perhaps be no possibility of treating seriously about the conditions of a peace. That their negotiations would only be an artifice to scatter divisions among the allies and retard their exertions for continuing the war. That the shortest way to put a stop to their intrigues would be to let it be known publicly, in the most explicit manner, that the United States neither can nor will make any peace without the concurrence of their ally, and that, if England has any overtures for peace to make to them, the American plenipotentiaries are sufficiently empowered to receive them and to negotiate a peace if those overtures are admissible.

That this peremptory language would free Congress from all the embarrassments which the English ministers could throw in the way; that it would bring them to a sincere disposition to make peace; put an end forever to their machinations with the mediating powers; deprive them of the means of feeding the Parliament and people of England with the

hopes of a separate peace, and finally save the Americans from all the difficulties which would infallibly take place if England were allowed to negotiate in America. It would convince England that the United States are not less attached to their engagements with their ally than sensible of the respect due to the courts of Vienna and Petersburgh, whose mediation Congress have accepted.

The minister added that, though the situation of the belligerent powers, the distance of America, and the slowness and difficulty of communication made it advantageous that the seat of the negotiation should be in Europe, and that the enemy should be informed of this resolution, yet Congress had the fullest liberty to follow the system which France had pointed out in her answer to the mediating powers, in consequence of which the American ministers might negotiate immediately and directly, conformably to the instructions they had received from Congress; but the negotiations of France and America would be carried on in an equal progression, a continual and reciprocal communication would be given, and the two treaties signed at the same time, and one be ineffectual without the other.

The Count de Vergennes, in the same despatch, gave information of the Dutch having acknowledged the independence of America, of which Congress are already informed.

The letters of May 2 and June 28 urged the same point of referring the British negociators in America to the American plenipotentiaries in Europe, with this addition in the letter of May 2, that it was now evidently the object of Great Britain to lessen their exertions on this continent as much as in their power, and to adopt a defensive mode of carrying on the war; that being unable to support a double war by land and by sea, she proposed to suspend the one in order to carry on the other more effectually, and in case of success to return against the United States with redoubled efforts.

The minister mentioned the attempts that had been alternately made at the court of Versailles and with the American plenipotentiaries for a separate peace, and said that Dr. Franklin had communicated his and Mr. Adams's answers to the British emissaries; that the king thought them firm and consistent with the principles of the alliance, and wished that Congress might be informed of the satisfaction they afforded him; that to remove forever such expectations, it behooved the wisdom of Congress to declare that no peace but a general one would be attended to; that when negotiations are entered into with sincerity the king would most readily employ his good offices in support of the United States, in all points relating to their prosperity; that Congress were themselves sensible of the distinction between the conditions of justice and rigor, and those of convenience and compliance, which depended on the good or bad situation of affairs; that though the circumstances of the allies were very promising, such events might happen as might make it advisable to adopt the part of moderation.

But the best way to obtain every possible advantage was to preserve a perfect connexion, and to let them know that the United States would not only reject a separate peace, but that they would continue the war against the common enemy by all manner of ways, until their allies should also conclude a peace; that this declaration would convince the British ministers that they would not get rid of the Americans by merely acknowledging their independence, and that though they removed their troops from the continent they would be attacked wherever found.

The despatch of the 28th June dwelt chiefly on the negotiation; and contained details which the Count de Vergennes directed the minister to make to Congress, but which have in a great measure been already transmitted to them by their ministers in Europe. These details related to the emissaries sent to Dr. Franklin and Mr. Adams, and their satisfactory answers. Mr. Oswald in an interview with the Count de Vergennes, hinted to him the desire of the court of London, and the necessity it was under to make peace; and received for answer that the king was equally disposed to make an honorable and solid peace. Mr. Oswald went to London to carry this information; returned soon, and was immediately followed by Mr. Grenville, the intimate friend of Mr. Fox.

Mr. Oswald repeated to Mr. Franklin the assurances of the disposition of the cabinet of St. James; and Mr. Grenville, in answer to his overtures to the Count de Vergennes respecting the disposition of the King of Great Britain, was informed by the express order of the king, *that his majesty was disposed to negotiate for peace, provided it was a general one, and the allies and friends of his majesty were satisfied.* This answer was just given when the news of the action of the 12th of April reached Europe. Nevertheless the King of Great Britain sent full powers to Mr. Grenville to negotiate the peace with his majesty. In communicating them the English agent declared, *that the King of England in order to facilitate peace, was disposed to treat of the independence of the United States with his majesty, provided all other matters were put upon the footing of the treaty of 1763.*

To this the king answered: 1. *That the powers of Mr. Grenville were insufficient, as they did not mention the allies of his majesty.* 2. *That his majesty could not himself negotiate for the interests of America, having no powers for this purpose; and that it became the dignity of the King of England and of the United States to open a direct negotiation on this subject.* 3. *That in order to conclude a solid and lasting peace it ought not to be founded upon the treaty of Paris, but upon justice, and the dignity of all the contracting powers.*

The British ministry adopting these observations, sent new powers to Mr. Grenville, authorising him to treat with all the belligerent powers. Mr. Grenville presented to the Count de Vergennes a copy of these powers, and declared *that the King of England being disposed to acknowledge and declare directly the independence of America it would no longer be a conditional article of peace.* And as to France, the English

plenipotentiary proposed *to take the treaty of Paris for the basis, not of the peace itself, but of the negociations which were to be entered into.*

The Count de Vergennes on the 21st June communicated to Mr. Grenville the answer of the king. In this communication his majesty declared his wishes for the restoration of peace, and his satisfaction that the King of Great Britain was disposed to treat with all the belligerent powers, and that he intended to make a direct acknowledgment and declaration of the independence of the United States of America, and that this point would no longer be a conditional article of a general pacification. That the king consents to adopt, according to the proposition of the King of England, the treaty of Paris for a basis of the negociation, not as a confirmation of all its stipulations, but with exceptions and alterations respecting the East Indies, Africa, the fisheries of Newfoundland, and commercial relations in Europe to mutual advantage. Restitution and compensation to be treated of when the negociation shall be established, with respect to which the king will be governed by the principles of justice and moderation, which are the basis of this policy. If these overtures are agreeable to the King of England, his majesty will explain himself precisely on the different points. His majesty expects that his Britannic majesty will make to all the belligerent powers and states without delay such overtures as he may think conducive to promote the negociation as far as it respects their interests. That no doubt may be left with respect to his majesty's sentiments, he declares anew that he will neither treat nor terminate any negociation unless the interests of his allies and friends shall be conjunctly discussed and determined, or separately, according to the wishes of his Britannic majesty and the allied and friendly powers of his most Christian majesty.

Such was the state of affairs on the 28th of June, at which time there appeared some obstructions to the negociation, owing, as it was believed, to the misunderstanding which prevailed among the British ministers. Tergiversations were discovered on the part of the British negociator. The bill authorising the King of England to treat with the *colonies of America* had not then passed. These uncertainties made it essential to guard against British emissaries on the continent of America; and to prevent with all care their admission; and to recommend the same measure to the several legislatures.

The minister finished the conference by informing the committee of the fortitude of the king on receiving the news of the action of the 12th of April. He immediately gave orders for constructing twelve ships-of-the-line, the greater part of the first rate. The city of Paris and several other cities and corporations had offered some others, and it was expected that the king would, in the course of next campaign, have twenty new ships to oppose the enemy. His majesty was resolved not to make the least alterations in his plans for the future negociation, and he exhorted his allies to the same resolution and to the same exertions.

*Ordered*, That the foregoing communication be referred to a committee of five to report. The committee, Mr. Duane, Mr. Rutledge, Mr. Montgomery, Mr. Madison, and Mr. Carroll.

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Oswald to Franklin.\*

PARIS, *September 24, 1782.*

SIR: Having received by a courier just now arrived a letter from Mr. Secretary Townshend in answer to mine, which went by the messenger despatched from hence on the 12th, I take this opportunity of Mr. Whiteford to send you a copy of it. I hope he will bring good accounts of your health, which I sincerely wish, and am your excellency's, &c.,

RICHARD OSWALD.

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Vergennes to Franklin.†

[Translation.]

VERSAILLES, *September 24, 1782.*

SIR: I have the honor to send you my despatches for the Chevalier de la Luzerne. The packet is voluminous, but it contains many duplicates.

I should be glad if it were in my power to inform him that our treaty is in as good progress as yours, but this is far from being the case. I can not even foresee what will be the issue, for difficulties multiply. It will be well for you to forewarn the Congress to be prepared for whatever event may arise. I do not despair; I the rather hope; but as yet all is uncertainty.

I have the honor to be, sir,

DE VERGENNES.

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Washington to Luzerne.‡

HEADQUARTERS, *September 24, 1782.*

SIR: Sundry accounts from New York having reached me informing me that the British were more than meditating an enterprise against the squadron of the Marquis de Vaudreuil, which they have learned is at present in two detachments in Boston and Portsmouth harbors, and that preparations were making for that purpose, I have made the

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 379.

† 2 Sparks' Dip. Rev. Corr., 379.

‡ 6 Sparks' Dip. Rev. Corr., 83.



marquis acquainted with this intelligence, and the probability of such an event.

At the same time that I gave this information to the French admiral, I have written a letter to Governor Hancock requesting that arrangements may be made with the militia of his State in such manner as to give immediate and effectual support in aid and protection of his most Christian majesty's ships, in case an attempt should be made upon them.

The like information I shall give to the governor of the State of New Hampshire, and request similar assistance from him, in case of the enemy approaching near Portsmouth.

With the highest regard and esteem, &c.,

GEORGE WASHINGTON.

Morris to Franklin, Adams, and Jay.\*

OFFICE OF FINANCE, *September 25, 1782.*

SIR: I do myself the honor to enclose for your perusal, acts of Congress of the 27th of November and 3d of December, 1781, and the 14th and 23d instant. In consequence, I have to request that all the bills hitherto drawn by authority of Congress be paid, and the accounts of those transactions closed. After this is done, and I hope and believe that while I am writing this letter it may have been already accomplished, you will be freed from the torment and perplexity of attending to money matters.

I am persuaded that this consideration will be highly pleasing to you, as such things must necessarily interfere with your more important attention. I have long since requested the Secretary of Foreign Affairs to desire you would appoint an agent or attorney here to receive and remit your salary, which will be paid quarterly; in the meantime it is paid to him for your use. As to any contingent expenses which may arise, I shall readily make the necessary advances upon Mr. Livingston's application. These arrangements will, I hope, be both useful and agreeable to you.

I am, sir, with perfect respect, &c.,

ROBERT MORRIS.

Franklin to Livingston.†

PASSY, *September 26, 1782.*

SIR: I have just received your No. 15, dated the 9th of August, which mentions your not having heard from me since March. I have, however, written sundry letters, viz, of April the 8th and June the

\* 6 Sparks' Dip. Rev. Corr., 539.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 380; 9 Sparks' Franklin, 414; 8 Bigelow's Franklin, 192.

12th, June the 25th and 29th, August the 12th, and September 3d, and sent copies of the same, which I hope can not all have miscarried.

The negotiations for peace have hitherto amounted to little more than mutual professions of sincere desires, &c., being obstructed by the want of due form in the English commissions appointing their plenipotentiaries. The objections made to those for treating with France, Spain, and Holland were first removed, and by the enclosed\* it seems that our objections to that for treating with us will now be removed also, so that we expect to begin in a few days our negotiations. But there are so many interests to be considered and settled in a peace between five different nations that it will be well not to flatter ourselves with a very speedy conclusion.

I mentioned in a former letter my having communicated to Count de Vergennes the state of American commerce, which you sent me, and my having urged its consideration, &c. Enclosed is a copy of a letter received from that minister on the subject.

The copy of General Carleton's letter and the bills of exchange which you mentioned as enclosed do not appear. I hope soon to have a better opportunity of writing, when I shall be fuller.

With great esteem, &c.,

B. FRANKLIN.

#### A Memorial Concerning the Bank of Amsterdam.†

SEPTEMBER 26, 1782.

The Bank of Amsterdam is much more simple than the denomination implies in general in the ideas of foreigners. It differs widely from those of Venice, London, and others, which have a capital formed by proprietors (actionaries) to whose profit these banks operate. That of Amsterdam makes neither commerce nor loan, but upon real specie, upon their intrinsic value, and upon matters in bars (ingots) of gold and silver.

This bank was erected in 1609. The magistrates of the city opened the project of the bank for the convenience of the merchants; but it is probable it was invented by the merchants themselves, as a remedy for the difficulty of payments, which became more and more considerable and embarrassing.

1. Because there was a great deal of foreign money in the city, with which they made payments reciprocally, amidst eternal disputes concerning the value to be given or received.

2. Because in the great number of coins struck by the States, diversely

\* This refers to Mr. Oswald's commission, which will be found *supra*, under date of July 25, 1782.

† MSS. Dep. of State. In 3 Spark's Dip. Rev. Corr., 662, it is stated: "From Mr. Adams' remarks at the end of this memorial it would seem to have been furnished him by another hand."

altered and singularly divided, they had not all a constant circulation, notwithstanding the orders of the sovereign. Some were declined even below the fixed value, and others were worth more.

3. The external cashiers which the merchants employed in those times, as they do at present to receive the money, which is due to them in the city, and to pay in their turn what they owe, profited of the two inconveniences before mentioned to make to themselves gain, which augmented the disorder and the vexation of payments, as well as in writings.

The merchants contrived then to make reciprocal payments by a simple transposition of debit from one to the credit of the other; but to this end it was necessary to assure the validity of payments made in this manner by a known and real value, and solidly placed under the authority and warranty of the city. The magistracy lent themselves to arrangements which answered to all these conditions, so that a number of merchants and cashiers deposited at first at their pleasure a sum in specie, more or less considerable, which was then designated by the commissaries of the bank as ducats, or rix dollars and others, which money was placed in one of the vaults of the State-House, under the departments assigned for the carrying on of this bank. Those who carried there their money were credited for it upon a leaf of the great book, which was shown to them, and from that time they might make reciprocal payments, as is practised at this day, without handling any cash, with this simple formula, viz:

“Gentlemen the Commissioners of the Bank: Please to pay N. N. five thousand florins. P. G.

“Amsterdam, this ——.”

By means of which the book-keepers had not, and have not still, any thing to do but to debit P. G. with five thousand florins, and credit N. N. for the same sum; so that if they had deposited each one ten thousand florins in cash, there would remain of it to the credit of P. G. only five thousand florins, and N. N. would have fifteen thousand to his, whereof he might dispose, in his turn, the next day in favor of one or more others having accounts open in the bank. This manner of making payments was found so convenient, and they took such a confidence in it that all the bankers and merchants, even down to the petty traders, made haste to open an account, and to carry there money, more or less, relatively to approaching payments which they had to make in bank; so that there was soon a sufficiency of specie deposited for a foundation of all the payments which were from that time designed to be made in bank, viz: all the bills of exchange of above three hundred florins drawn by foreigners upon Amsterdam, and in Amsterdam upon foreigners, all the merchandizes of the East Indies, the wools of Spain, and some other articles.

It happened, then, that they ceased to carry thither the moneys of Holland, because the merchants, having occasion alternately, some of

the money in bank for current money, and others, of current money for money in bank, they found a great facility in selling one for the other. From thence arose a commerce of agiotage (*pour l'agio*), which had been already prepared, because it had been resolved, for good reasons, without doubt, as in case of a flood of specie, &c., that the bank would not receive the moneys which they would deposit but at five per cent. below the current value; so that to have one thousand florins in bank to one's credit it was necessary to deposit one thousand and fifty florins in current cash. Behold thus this agio establishment, and the money of the bank, worth five per cent. more than current money. This value of five cent. soon varied, because some one, who found that he had too much money in bank, and was in want of current, sought to sell the first for the second, found a purchaser who would not give him more than four seven-eighths per cent.; that is to say, one thousand and forty-eight florins and fifteen stivers for one thousand in bank. Thus of the rest in such sort, that at all times, when one could buy or sell the money in bank, there is no question but to agree upon the price of the agio, which is subject to perpetual variation, and which is more or less high, according to the wants of epochs; as for example, when the company makes its sales, the merchants have greater want of money in bank to pay their purchases, which raises the agio, which falls again, when the company would sell that which is come into them for current money, in which all payments are made for fitting out of vessels.

The payments of bills of exchange being to be made, as it has been said, in bank money, the price of all exchanges of current money, which were heretofore fixed in bank money, for example, a crown tournois of sixty sols, the intrinsic value of which, founded upon the price of the money mark, amounted to fifty-seven sols and three-fourths, current money of Holland, was placed at fifty-five sols of bank money; and thus of all the exchanges with all foreign countries; from whence it results that having sold merchandizes of a man of Bordeaux, the amount of which produces net one thousand and fifty florins current, or the credit of one thousand bank, the agio at one hundred and five, when they make him a remittance, or when he draws, they purchase so many crowns as are necessary for the one thousand florins bank, at fifty-five sols fifteen deniers, which comes to the same thing as if they bought crowns for one thousand and fifty florins current at fifty-seven and three-fourths sols current. When any one would open himself an account in the bank he goes there himself and puts his signature upon a book to make it known, and they give him the page upon which his account shall be opened, which he ought always to place at the head of the billet by which he pays.

They begin with debiting him with ten florins, once for all, after which he pays no more to the bank, but two sols for each bill that he writes, with which they debit him twice a year when they make the balance of the books, viz, in January and July, at which epochs each one is

obliged to settle accounts with the bank, and to go and demand his pay to see if they accord with the bank, under the penalty—after six weeks if they fail or neglect—of paying a fine of twenty-five florins. The bank is shut at these epochs, and continues shut during fourteen or fifteen days, during which time the bills of exchange sleep, and although they fall due the first day of the shutting, or any day following, they can not be protested until the second or third day after the opening. There are other little shuttings of the bank at the feasts—Christmas, Lent, Pentacost, and at the fair—which continue but a few days. One can not dispose, till the next day, of the money which enters by the bank except the second days of the openings and that of Pontacost. They call these days the “returns of bills” (*revirement de parties*), or the “recounting,” because they pay with that which they receive. One ought to take care not to dispose beyond one’s credit, for not only all the drafts whereof one has disposed are that day stopped, that is to say they are invalid, but one is condemned and obliged to pay a fine of triple of the whole which one has disposed of more than that which one has in bank.

The person who writes ought himself to carry his draft to the bank, or at least his attorney, between eight and eleven o’clock in the morning; those who come after until three o’clock, pay six sols fine for each draft. The merchants ordinarily pass a procuration, which it is necessary to renew once a year, to one of their clerks to carry their drafts and demand their payments, which no other person can do.

They transfer every day in the week, except Sunday and during the shuttings, which are announced some weeks beforehand.

For arranging the merchants, and also for maintaining and favoring the price of matters, and specie of gold and silver, both foreign and that of the country, which are in strictness only of mere commerce, as our ducats and rix dollars, the bank receives them at a value determined and relative to the weight and the title known by the paymaster of the bank, but the sum which they there receive ought not to be below two thousand five hundred florins. The bank gives receipts for the specie, &c., which they deposit there for six months, which are to the bearer; so that, within the time, if the specie or matters exceed, the proprietor may sell his receipt to another, who pays him the surplus of what they are worth of the price at which the bank has received them, and this receipt may thus pass through several hands, as often happens by the idea which they form of the excess or of the deficiency. He who is the bearer of this receipt may go and take away these matters or specie when he will, in paying at the bank the value which it has advanced to him who has deposited them, and, moreover, half of a florin for the keeping of them the six months, both upon gold and upon bars of silver, and quarter of a florin upon Mexican dollars, rix dollars, and some other species of money. When this term is expired, one may cause to be renewed the receipts in paying at the bank the half or quarter florin



due thus from six months to six months ; but if one let pass that time without taking away his deposit, or without renewing it, it is devolved to the bank, which keeps it to its profit.

The bank is governed, under the inspection of the burgomasters, by six commissaries, chosen and named by the burgomasters from among the magistrates and principal merchants, under the care of whom is the deposited treasure. They furnish every year, in the month of February, a balance of the bank to the burgomasters, the youngest of whom goes down with them into the vaults to verify and take account of the number of sacks, and of the specie contained in said balance, and forming the real and effective fund that each one has in the bank ; and whatever may have been said or suspected upon this subject, it is very certain that the fund rolling through the bank is really there deposited in specie, ingots, and bars of gold and silver. This treasure is not, moreover, so immense as many people imagine. Some authors have written (without doubt by estimation) that it went as far as three hundred millions of florins, which is not credible when we consider the returns of the bills (*revirements de parties*) which are continually made between those who have reciprocal payments to make among themselves. We know very nearly that there are scarcely more than two thousand accounts open upon the books of this bank so that in order to make three hundred millions of florins, it is necessary that these two thousand persons should have, one with another, one hundred and fifty thousand florins each in bank, which is beyond all probability, especially if we consider A and B having there each one ten thousand florins, might reciprocally pay themselves sixty thousand florins per week, and thus make a circulation of transposition of one hundred and twenty thousand per week, with twenty thousand of *sign effective*. So that reducing the year to forty weeks of payment, with regard to the intervals which take place in the times of the shuttings, which is too large an allowance, it would result that with fifty millions there might be made twelve thousand millions of florins of payments per annum. According to this, and considering that the money in bank brings in no benefit, it is easy to imagine that there is not much more than is necessary for the circulation of payments in bank, and that its treasure can not be so considerable as many people imagine.

The bank never lends upon any species of merchandize, nor discounts any paper, nor makes any other profit than the half or quarter of a florin upon the gold and silver there deposited, and which, added to the ten florins for the opening of accounts, and two stivers for each draft of which I have spoken, serves to pay all the expenses of clerks and others which is occasioned by the bank. The overplus, which is not very considerable, goes to the profit of the city.

No arrest or attachment can be made of any moneys which are in bank, under any pretext ; the commissaries, bookkeepers, and others who are in the service of the bank are bound by oath to say nothing of



what passes there. No man has a right to require of the bank the reimbursement in specie of the sum with which he is credited, (a) each one having his account only in the receipts of the commissaries, which are in the term of six months. It is certain that the primitive fund, the receipts for which they have suffered to be extinguished, is no longer demandable, and that one can not force the commissioners to give specie; but it is not, therefore, the less true, that this fund exists really, and one ought not, and can not doubt, that if the city was threatened with an inevitable invasion, and if the merchants should require their money to place it elsewhere in safety, that the burgomasters would cause it to be paid, by giving so many florins in current money, or value in bars or ingots, with which one should be credited.

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(a) The author is here mistaken. All those who have an account in bank may demand to be paid in ready money, but they can not require the agio. By consequence, while the bank shall have credit and there shall be commerce in Amsterdam which cannot be carried on without the money of the bank, and while there shall be, consequently, an agio, no man will go and demand in ready money a sum which is worth five per cent. more. The author has not well distinguished between the sum of money, or rather the specie, which one may redemand in the term of six months by means of a receipt and the money for which one is credited in bank. Behold the difference.

When they have received at the bank a certain quantity of gold or silver, whether in money or in bars, for the value of which the bank has credited upon its books the proprietor (not according to the value which this money has in commerce, but according to its weight and denomination), in this case the depositor or he who holds the receipt has the right, by means of this receipt and in restoring to the bank the sum for which the first depositor had been credited, to withdraw this gold or silver, paying one-half per cent. for the keeping. But, the six months elapsed, the receipt becomes useless, the gold or silver remains in propriety to the bank, and the depositor must content himself to have received in its place the sum which this gold or silver has been valued at, by which sum he has been credited upon the books, and whereof he might have disposed as he saw good. It is this sum that he has the faculty of redemanding in ready money when and as often as he judges proper, and as he is acknowledged upon the books to be a creditor for that sum; but they are not bound to restore him more than the net sum without agio.

No man will be by consequence mad enough to cause himself to be paid four or five per cent. less than the money of the bank is worth in commerce. But if the money of the bank should be so discredited that there should be no longer an agio, in that case all the world would have a right to come and demand at the bank the amount of the sums for

which they are credited; and the bank, whose credit would be ruined, would be obliged without controversy to make this payment or to commit bankruptcy. It can never acquire a right of propriety in the capitals for which it has credit upon its books; but in case of restitution it is not obliged to restore the same matters or the same money for which it originally gave these credits. Over these the right is lost with the expiration of the time established for the duration of the receipts, but it is held to the restitution of the amounts of the credits, such as they appear upon the books.

September 26, 1782.

For the use of Congress from

JOHN ADAMS.

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Luzerne to Livingston.\*

[Translation.]

PHILADELPHIA, *September 27, 1782.*

SIR: I have the honor of sending to you a decree of his majesty's council of state, made in consequence of the measures taken by Congress for preventing the fraudulent importation of English merchandise into this country. I desire that you would be pleased to communicate it to Congress, in order that it may be published under the seal of authority, and that American merchants and sailors may be informed that it is in their own power to procure in the ports of France the papers necessary for making it certain that the English merchandise which they take on board is obtained from prizes. This decree agrees very well with the laws passed by several States, and particularly with that passed by the assembly of Pennsylvania during its last session to prevent commerce and all communication with the enemy. I have also the honor of sending to you, sir, the copy of a letter from the Marquis de Vaudreuil, which I request you to be pleased to transmit to Congress.†

I have the honor to be, &c.,

LUZERNE.

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R. Morris to J. Adams.‡

OFFICE OF FINANCE, *September 27, 1782.*

SIR: I do myself the pleasure to congratulate you on the success of your patriotic labors in Holland. The general tribute paid to your abilities on this occasion will so well dispense with the addition of my

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\* 6 Sparks' Dip. Rev. Corr., 89.

† See Vaudreuil to Luzerne, September 20, 1782, *supra*.

‡ 6 Sparks' Dip. Rev. Corr., 539; 7 J. Adams' Works, 64.

feeble voice, that I shall spare your delicacy the pain of expressing my sentiments.

The enclosed resolutions and copies of letters will convey to you so fully the views of Congress and explain so clearly my conceptions on the subject, that very little need be added. If the application to France should fail of success, which I can not permit myself to believe, you will then have a new opportunity of showing the influence you have acquired over the minds of men in the country where you reside and of exerting it in the manner most beneficial to our country. Before I conclude this letter I must congratulate your excellency on the success of the loan you have already opened, which I consider as being by this time completed.

With perfect respect, I have the honor to be, &c.,

ROBERT MORRIS.

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Morris to Franklin.\*

OFFICE OF FINANCE, *September 27, 1782.*

SIR: I have the honor to enclose a copy of acts of Congress of the 14th and 23d instant, together with a copy of my letter of the 30th of July, covering the estimates for the year 1783. These estimates are not yet finally decided on. By the act of the 14th you are, as you perceive, instructed to communicate the resolution for borrowing four millions of dollars to his most Christian majesty; and first, to assure his majesty of the high sense which the United States in Congress assembled entertain of his friendship and generous exertions. Secondly, their reliance on a continuance of them; and thirdly, the necessity of applying to his majesty on the present occasion.

From this, and even more particularly from the act of the 23d, you will see that it is the wish of Congress to obtain this money from, or by means of, the king. After the decisive expressions contained in those resolutions of the sense of our sovereign, I am sure that it is unnecessary for me to attempt anything like argument to induce your exertions. I shall, therefore, rather confine myself to giving information. The grateful sense of the king's exertions, which has so warmly impressed your bosom, operates with undiminished force upon Congress; and what is of more importance in a country like ours, has the strongest influence upon the whole Whig interest of America.

I have no doubt but that the king's minister here has given his court regular information on this and every other subject of equal importance, and, therefore, any general assurances on your part will be complementary, and in some degree superfluous. But there is a kind of knowledge not easily attainable by foreigners in any country, particularly on such a matter as the present. It is not amiss, therefore, that I should

convey it to you, and your good sense will apply it in the most proper manner. You (of all men in the world) are not now to learn that the sour English prejudices against everything French had taken deep root in the minds of America. It could not have been expected that this should be obliterated in a moment. But by degrees almost every trace of it has been effaced. The conduct of Britain has weaned us from our attachments, and those very attachments have been transferred, in a great measure, to France.

Whatever remains of monarchical disposition exist are disposing themselves fast to a connexion with the French monarchy; for the British adherents begin to feel pangs of a deep despair, which must generate a deep aversion. The British army here felt the national haughtiness increased by the contempt which, as Englishmen, they could not but feel for those who had combined against the freedom of their own country. Every part of their conduct, therefore, towards the Tories, while they flattered themselves with victory, showed how much they despised their American friends. Now that a reverse of fortune has brought on a little consideration, they find a total separation from this country unavoidable. They must feel for the fate of their country; they must, therefore, hate, but they must respect us, too; while their own adherents are both detested and despised. Since General Carleton's arrival, or rather since the change of ministers, the British have shown that their intention is, if possible, to conciliate the rulers of America; and by the influence of a common language and similar laws, with the force of ancient habits and mutual friendships not yet forgotten, not only to renew again the commercial intercourse, but to substitute a new federal connexion to their ancient sovereignty and dominion.

The assurance, therefore, which Congress have directed you to make must not be considered in the number of those idle compliments which are the common currency or small change of a court. It is an assurance important because it is founded in truth, and more important still because it is dictated by the affections of a people. If I may venture an opinion still further, it is principally important because of the critical situation of things. The sudden change of Britain from vengeance and war to kindness and conciliation must have effects, and those effects, whether they be contempt or affection, will depend less, perhaps, on them than upon others. It can not be doubted that they will ring all the changes upon their usual theme of Gallic ambition. They will naturally insinuate the idea that France will neglect us when we have served her purposes; and it would be very strange if they did not find some converts among that class of people who would sacrifice to present ease every future consideration. What I have said will, I am confident, put your mind into the train of reflections which arise out of our situation, and you will draw the proper conclusions and make a proper appreciation of them.

Congress have directed you further to express to the king their reliance on a continuation of his friendship and exertions. I have no doubt that a full belief of this reliance will be easily inculcated. Indeed, I apprehend that we shall be considered as relying too much on France, or, in other words, doing too little for ourselves. There can be no sort of doubt that a good argument may be raised on the usual position that the nation which will not keep itself does not merit the aid of others; and it would be easy to tell us that we must put our own shoulders to the wheel before we call upon Hercules. In short, if the application be refused or evaded, nothing can be easier than to assign very good reasons why it is done. But you have very justly remarked in one of your letters that it is possible to get the better in argument and to get nothing else. So it might be here. True sagacity consists in making proper distinctions and true wisdom in taking determinations according to those distinctions. 'Twenty years hence, when time and habit have settled and completed the Federal Constitution of America, Congress will not think of relying on any other than that Being to whose justice they appealed at the commencement of their opposition. But there is a period in the progress of things, a crisis between the ardor of enthusiasm and the authority of laws, when much skill and management are necessary to those who are charged with administering the affairs of a nation. I have already taken occasion to observe that the present moment is rendered particularly critical by the conduct of the enemy; and I would add here (if I dared even in idea to separate Congress from those they represent) that now, above all other times, Congress must rely on the exertions of their ally. This sentiment would open to his majesty's ministers many reflections, the least of which has a material connexion with the interests of his kingdom. But an argument of no little weight is that which applies itself directly to the bosom of a young and generous prince, who would be greatly wounded to see that temple, dedicated to humanity, which he has taken so much pains to rear, fall at once into ruins by a remission of the last cares which are necessary for giving solidity to the structure. I think I might add that there are some occasions on which a good heart is the best counsellor.

The third topic on which Congress have directed you to dwell upon is the necessity of their present application; and it is this which falls most particularly within my department; for I doubt not that every sentiment on the other objects has been most forcibly inculcated by the minister of foreign affairs. I might write volumes on our necessities and not convey to you so accurate an idea as by the relation of a single fact which you may see in the public newspapers. It is that the requisitions of last October for eight millions had produced on the 1st day of this month only one hundred and twenty-five thousand dollars. You are so perfectly a master of everything which relates to calculation that I need not state anything of our expenses. You know also what were our resources beyond taxation, and therefore you have every material



for forming an accurate idea of our distresses. The smallness of the sum which has been paid will doubtless astonish you; and it is only by conversation or a long history that you could see why it has been no greater. The people are undoubtedly able to pay, but they have easily persuaded themselves into a conviction of their own inability, and in a Government like ours the belief creates the thing.

The mode of laying and levying taxes are vicious in the extreme; the faults can be demonstrated; but would it not be a new thing under the sun that people should obey the voice of reason? Experience of the evil is always a preliminary to amendment, and is frequently unable to effect it. Many who see the right road and approve it continue to follow the wrong road because it leads to popularity. The love of popularity is our endemial disease, and can only be checked by a change of seasons. When the people have had dear experience of the consequences of not being taxed they will probably work the proper amendment, but our necessities in the interim are not the less severe.

To tell America, in such a situation, that she should reform her interior administration would be very good advice, but to neglect affording her aid, and thereby to lose the capital objects of the war, would be very bad conduct. The necessity of the present application for money arises from the necessity of drawing by degrees the bands of authority together, establishing the power of Government over a people impatient of control, and confirming the Federal Union of the several States by correcting defects in the general Constitution. In a word, it arises from the necessity of doing that infinite variety of things which are to be done in an infant government, placed in such delicate circumstances that the people must be wooed and won to do their duty to themselves and pursue their own interests.

This application also becomes more necessary in order to obviate the efforts of that British faction which the enemy are now attempting to excite among us. Hitherto, indeed, they have been unsuccessful, unless perhaps with a very few men who are under the influence of disappointed ambition, but much care will be required when their plans are brought to greater maturity. The savage inroads on our frontiers have kept up the general horror of Britain. The great captures made on our coasts have also rather enraged than otherwise, though such captures have always the twofold operation of making people wish for peace as well as for revenge. But when the enemy shall quit our coasts (and they have already stopped the inroads of their savage allies), if the people are urged at once to pay heavy and unusual taxes, it may draw forth and give weight to arguments which the boldest emissaries would not at present hazard the use of.

I have already observed that Congress wish to obtain this money either from or by means of the king. The most cautious prudence will justify us in confiding to the wisdom of his ministers the portrait of our situation. But it might not be very wise to explain to others those



reasons for the application which lie so deep in the nature of things as easily to escape superficial observers. I shall enclose a copy of this letter to Mr. Adams, and you will find a copy of what I say to him on the subject. I hope the court will take such measures as to render any efforts on his part unnecessary; but you and he must decide on what is best for your country.

I must trouble you still further on this subject with the mention of what you will indeed collect from a cursory reading of the resolutions, that Congress have the strongest reason for their procedure when they direct your utmost endeavors to effect this loan, notwithstanding the information contained in your letters. If the war is to be carried on, this aid is indispensable and, when obtained, will enable us to act powerfully in the prosecution of it. If a peace takes place, it is still necessary, and, as it is the last request which we shall then have occasion to make, I cannot think it will be refused. In a word sir, we must have it.

With perfect respect, I have the honor to be, &c.,

ROBERT MORRIS.

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Morris to Franklin. \*

OFFICE OF FINANCE, *September 27, 1782.*

SIR: By my letter of this date you will be informed of the intentions of Congress to provide for a principal part of the expenditures of the year 1783 by loan. I expect that you will be able to obtain the four millions of dollars, either from the court or by their assistance. I wish for an immediate disposition of a part in the following manner: That the court of Spain should give orders for the shipment of a million of dollars at the Havana, free of duties, and be convoyed by one or more ships of the line to an American port; the money to be paid to them during the year in Europe. I wish this order may be so expedited as that Captain Barney, in the *Washington*, by whom this letter goes, may carry it out to the Havana, and receive the money, which will by that means arrive here some time during the winter, and of course will, I expect, come safely as well as seasonably. I wish that a half million of dollars may be paid to Messrs. Le Couteulx & Co. as soon as possible, to enable them to execute my orders as to particular negotiations which I commit to them. Whatever else of the money is obtained in France will of course be paid to Mr. Grand, subject to my orders. If any part of the money be negociated in Holland, it will be, I suppose, proper to leave it in the hands of those who negotiate the loan, subject to my further disposition.

I am, sir, &c.,

ROBERT MORRIS.

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\* 6 Sparks' Dip. Rev. Corr., 546.

Morris to Messrs. Le Couteulx & Co.\*

OFFICE OF FINANCE, *September 27, 1782.*

GENTLEMEN: I write to Dr. Franklin, under this date, to place in your hands five hundred thousand dollars as soon as he possibly can. I hope it may be effected speedily. My object in making this deposit is that you may remit to the amount of that sum to the Havana, provided bills on that place can be purchased at a discount of twenty-five per cent.; by which I mean that seventy-five dollars in Europe should purchase one hundred dollars in Havana. If the negotiations can not be effected upon those terms, you will retain the money in your hands, subject to my after direction. I suppose that those or better terms can be obtained for the following reasons:

The person who has money in the Havana, by selling bills will immediately possess himself of the amount for which they are sold; and, therefore, allowing time for the bills to go over and be presented, with the thirty days of payment, and the further time which would be necessary to remit that money from the Havana to Cadiz, and he would gain from eight to twelve months' time, which is itself important; but in addition to this there is the duty of nine per cent. on exporting cash from the Havana; a freight which is, I suppose, considerable; a risk which is very great, and, perhaps, a farther duty on the arrival at Cadiz; to which may be added the advance on bills drawn at Cadiz on the different parts of Europe.

If you can accomplish the negociation on the terms I have mentioned you will then remit the bills to a good house in the Havana, to receive the money and hold it subject to my order; and you will, if you can, fix the terms on which that house are to do the business. Whether anything of this sort takes place or not, I am to request that you will give me every information on the subject which you can acquire.

I am, gentlemen, your most obedient and humble servant,

ROBERT MORRIS.

Dumas to Livingston.†

THE HAGUE, *September 27, 1782.*

SIR: My last came down to the 4th of September. There has been an important resolution of this day taken by the states of Holland, constituting a commission of five deputies, accompanied by the grand pensionary, to seek of the prince the cause of the bad state of the maritime forces of the republic and of their inactivity.

OCTOBER 3.

The above-named committee have been received by the prince with all the honors due to sovereigns and have opened conferences with him. The same day their high mightinesses in secret session, having deliber-

\*6 Sparks' Dip. Rev. Corr., 540.

†5 Sparks' Dip. Rev. Corr., 356

ated on the memorial of the French ambassador, by which he had made them a proposition "to send ten ships of war to Brest, to be there joined by the vessels of the king, and to act with them against the common enemy, either in Asia or Europe," have resolved that the prince be requested to designate immediately the demanded squadron, viz, five vessels of sixty guns, three of fifty, two frigates, and a cutter for this purpose, to depart if the winds will permit before the 8th of October, to avoid the risk which would attend them after that time of being intercepted by an enemy of superior force.

OCTOBER 11.

The officer designated to command the said squadron arrived here the 4th, while the wind coming round, became all at once favorable on the 5th to depart; and he reported to the prince, who did not communicate the report until the 7th, in secret session, that the squadron was not in a state to go to Brest, for want of provisions, cordage, sails, anchors, clothes for the seamen, and other necessary articles; \* on which the committee above named presented themselves to-day to the prince to express their surprise and ask an explanation. The prince professed that he had no account to render but for the past and none for the present or the future, at least till a new resolution of their noble and grand mightinesses. On their side, the committee, conceiving, with reason, "that the resolution which was committed to them contained particular instructions to look into the points which it specified, and particularly a general order to report on all subjects relating to the marine, and especially the direction of the present war, as much as should appear to them necessary to dissipate all obscurity," have, in consequence, made their report to the assembly.

OCTOBER 16.

Their noble and grand mightinesses having deliberated on the report, all the cities were ready to conform to it except Schiedam, la Brille, and Medemblick, which have taken it *ad referendum*, the final resolution being deferred; but it will be adopted as reported next week, at least by the majority, which is sufficient in this case.

His excellency, Mr. Adams, departed this morning, the 16th of October, for Paris. In taking leave of the president and secretary of their high mightinesses the States-General, he did me the honor to present me as *charge d'affaires* of the United States, which is an indispensable custom. He had before advised the grand pensionary of it, to whom I shall make to-morrow a visit of politeness in consequence.

OCTOBER 18.

A young officer (De Witte) convicted of high treason for having attempted to assist the enemy in an invasion of the coast of Zealand was about to be tried by the high council of war, which is wholly dependent

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\* The 12th of September the prince, on his return from the Texel, reported positively to their high mightinesses that all was there ready, that the vessels were in a condition for sea and for action, and waited only for his orders.—SPARKS.

on the prince, when the states of Holland solemnly signified to the prince that he ought to cause prosecution to be stayed before this tribunal as incompetent and carry it up before the court of justice of Holland and Zealand. This high council of war is, besides, odious to the nation and regarded as tyrannical and unconstitutional.

I have not spoken in this letter of our treaty of amity and commerce with this republic, signed finally by both parties the 8th of this month, because Mr. Adams will give you this detail better than I can. I shall content myself with saying that I have every reason to be persuaded that he is satisfied with the zeal with which I have fulfilled the tasks which he has required of me in the operations which have preceded this signature, and pray God that the United States may gather from it the most abundant fruits.

OCTOBER 22.

I am anxious to see an answer to the extract I sent to your excellency, agreeably to the wish and permission of Mr. Adams, of a certain letter which he wrote me; for, so long as I am not openly recognised and suitably sustained by Congress, my precarious condition here is cruel, in the midst of the Anglomans, who wish to see me perish ignobly, and in the bosom of a family whose complaints and reproaches I fear more than death. Mr. Laurens, in his hasty passage through this country, was perfectly sensible of it. He knows that I serve the United States constantly, without respect of persons. "*You have been slighted,*" are his own words; and when I testified to him my regrets for his departure from Europe he had the goodness to add that these regrets were contrary to my interest. Permit me, sir, to commend them to you, and, if Mr. Laurens has returned to you safely as I hope, on the arrival of this will you express to him the sentiments of the most affectionate respect which I retain for him, as well as for all the great men in America who have served under the sublime principles which have animated me as well as them, and in which I, as well as they, will live and die.

I am, with great respect, &c.,

DUMAS.

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Jay to J. Adams.\*

PARIS, September 28, 1782.

DEAR SIR: Mr. Oswald received yesterday a commission to treat of a peace with *the commissioners of the United States of America*. I have reasons for wishing that you would say nothing of this till you see me, which I hope and pray may be soon, very soon.

This is a short letter, but, notwithstanding its brevity, be assured that I am, with great regard and esteem, &c.,

JOHN JAY.

Jay to Livingston.\*

PARIS, *September 28, 1782.*

DEAR SIR: I have only time to inform you that our objections to Mr. Oswald's first commission have produced a second, which arrived yesterday. It empowers him to treat with the commissioners of the *Thirteen United States of America*. I am preparing a longer letter on this subject, but as this intelligence is interesting I take the earliest opportunity of communicating it.

With great regard and esteem, I am, &c.,

JOHN JAY.

Gouverneur Morris (?) to Franklin.†

PHILADELPHIA, *September 28, 1782.*

SIR: In my letter of yesterday I have dwelt on the resolutions of Congress in the manner required by my duty as their servant. I will now add a few hints as your friend. Your enemies industriously publish that your age and indolence have unfitted you for your station, that your sense of obligation to France seals your lips when you should ask their aid, and that (whatever your friends may say to the contrary) both your connections and influence at court are extremely feeble. I need not tell you that Messrs. Lee, etc., are among the foremost who make these assertions, and many others not worth the mention. I should not have given you the pain of reading these, but that (as you will see from the resolution of the twenty-third instant) Congress have believed your grateful sensibilities might render you unwilling to apply with all that warmth which the sense of their necessities convinces them is necessary. In addition to the general reflection how envy has favored superior merit in all ages, you will draw further consolation from this, that many who censure are well disposed to cast like censure on France, and would fain describe her as acting the part of self interest without a wish to render us effectual aid. You will, I am sure, attribute what I now say to a friendly desire of apprizing you of things useful for you to know, and you will so act as to convince every man that your exertions are what I verily believe them to be.

I am, sir, your most obedient and humble servant.

His Excellency BENJAMIN FRANKLIN.

(Said by Ed. of N. Y. Hist. Soc. Pub. to be in the handwriting of Gouverneur Morris, but with no signature.)

Whether this letter was ever received by Franklin we have no information. It is not found among his papers, and, if received, he probably did not answer, this being in accordance with his practice (wise or unwise) of not, in his old age, replying, or asking his friends to reply, to personal assaults on himself. How continuous as well as baseless these particular assaults were may be seen by turning to Arthur Lee's letter to Congress, of December 7, 1780, with the note thereto.

\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 462; 2 Corr. and Pub. Papers of John Jay, 348.

†N. Y. Hist. Soc., 1878, 483.

Dana to Livingston.\*

ST. PETERSBURGH, *September 29, 1782.*

SIR: I have this day been honored with the duplicate of yours of the 10th of May, and of the 22d and 29th of the same month, together with the resolutions of Congress of the 22d of February, and of the 1st of March last, relative to your department, but no copy of your letter, or the resolutions of Congress expressive of their sense of the sentiments contained in the letter of the 10th of May, or of the cypher, all of which you say are enclosed in that letter, has come to hand with it.

If my first letter to you, dated March 5, which was written by the next post after the receipt of your first, has been received, and I think it must have been soon after the date of your last, all anxiety which might have been occasioned by my earlier letters from hence I hope will be removed, and that I shall be thought not to be totally destitute of political prudence. When that letter was written I was rather apprehensive I might be censured by some as suffering prudence to degenerate into pusillanimity, for not taking advantage of the impression made by so important an event as the surrender of Lord Cornwallis and his army, and thought it expedient to assign any reasons for not doing it, knowing that we are apt to think events, which so immediately change the face of affairs among ourselves, operate almost as sudden changes in the systems of Europe.

My letter of June 28 I hope also will have the same favorable tendency. The measure mentioned in it, I presume, will not be censured. To say the least, it has not been productive of any unhappy effects. I have never delivered the second part, because I have not yet been satisfied of the expediency of touching upon some matters which it contained. I have always consulted the French minister freely, whenever I thought any circumstances favorable to our views have turned up (an instance will be found in the above letter), and I have never acted against his opinion given me upon any point.

The line I have hitherto pursued is precisely that pointed out in your letter of March 2. In truth, sir, no person has higher ideas of the real honor and dignity of the United States than myself, and no person, perhaps, would be less liable rashly to expose them to any indignities. I will not now trouble you with observations upon any parts of your letter of May 10, though I may think myself obliged to do so hereafter, when I shall have a more convenient opportunity to enter fully into the subject of it, and into the necessary explanations.

At present we have no interesting intelligence here. What may be the consequences of the measures taken by her Imperial majesty to restore the deposed Khan of the Crimea, of whom I have made some particular mention in my letter of the 30th of March, is not easily foreseen. Whenever we shall receive any certain accounts from that quar-

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 640.



ter I shall not fail to communicate them. In that same letter I gave you some account of the commerce of this country, and pointed out in what way I imagined we might take a part in it to our advantage. I enclosed you a printed list of the exports from hence for 1781. You will receive one with this also, which will serve to show the nature of them with more exactness than the quantity; for this is always considerably greater than those lists import it to be, because they are formed from the articles alleged by the merchants to be shipped, and for which they pay the duties, and they scarce ever report the whole to the custom-house.

To give you a more particular knowledge of the commerce of this country, I have sent you (with the dictionaries you wrote for) a small treatise upon this subject, which enters into mercantile details, and may be very serviceable to some of our merchants. It is in general well written, and is the only one I can learn which has been published upon it. Her majesty, who seems to give great attention to the commerce of her empire, has since freed it in many instances from the restrictions imposed upon it. In particular, all kinds of military stores are now permitted to be exported by any one paying the duties, salt-petre, rhubarb, &c. And the exploring and working of mines have also been lately encouraged. Though there are vast mines in this empire, yet they were never worked upon till the time of Peter the Great. Before that period Russia imported all her iron, copper, lead, &c., principally from Sweden. At this day Russia exports as much iron (the exportation of copper is prohibited) as Sweden, that is, one year with another, about three millions of poods, a pood being forty pounds Russian, a little more than thirty-six pounds English. Some of the iron of Russia is at least as good as the best Swedish, particularly what is called old sable iron. We used to import considerable quantities of the Swedish, if I am not mistaken.

Upon my arrival here, I found a strong apprehension prevailing that we should rival this country in the other parts of Europe, especially in the important articles of iron and hemp. Besides what I have said upon this subject in the reflections contained in my letter of June 28, I endeavored to show the high improbability of our going into the business of mining, even to a degree to answer our own demands, for an age at least, much less for foreign markets. From the dearness of labor, when our mines if worked at all must be worked by freemen, and not as in Europe in general by slaves, as we had no white slaves, and had prohibited the importation of blacks; that by this means, aided by the enemy, who in their progress through the southern States had stolen them from many plantations, and shipped not a few to their islands, we should shortly see an end of slaves in our country; that the policy of our Governments was opposed to the commerce of slaves; that upon the supposition we could work our mines by freemen nearly as cheap as Russia, yet we should import her iron in great quantities, because

the nature of the other commodities we should take from hence is such as would require our vessels to be ballasted, and that they would wish to take in iron in preference to other unprofitable ballast and without freight, so that it would always arrive among us at an advantageous rate. From the prodigious extent of our uncultivated territory, joined to the ease with which every inhabitant might make himself an independent proprietor of a sufficient portion of it, for the comfortable support of himself and a family, who in their turns might find in the same way the same facility of subsisting in an independent state of life; that it was not in the nature of things for men thus circumstanced to bury themselves in the bowels of the earth, and spend their lives and their labor for the profit of others.

As to the articles of hemp, I observed notwithstanding the encouragement by bounties given by the Parliament of Britain, aided by the influence of the king's governors in the colonies, we had never adopted the cultivation of it in any degree worth consideration; that we had continued to import it through Great Britain in very great quantities; that scarce any vessel ever came from thence without bringing more or less of it; that it had never become an article of exportation, unless possibly in some instances for the purpose of recovering bounties; that the people were averse to its cultivation, as it not only required a good soil, which could be more profitably employed in raising grain but impoverish it very fast; that grain was one of our capital articles; that by means of it we kept up a profitable commerce with all the West Indies as well as with some of the more southern parts of our continent; that further, it would be the policy of America, whenever circumstances should turn her attention to manufactures, to begin upon the coarse woolens in preference to linens of any kind, and to that end to promote the increase of wool rather than that of flax or hemp; that a system of this sort coincided perfectly with the cultivation of grain, as it contributed to fill the country with provisions, to render labor cheaper, and to afford further supplies for the above foreign markets, and that our lands instead of being injured would be much meliorated by such means.

By arguments of this kind, pursued into their details, and such as are contained in those reflections, I have endeavored, I hope with some good effect, to dissipate any apprehensions of the above-mentioned rivalry. This had become an object of consequence to us, as this rivalry was maintained by both friends and foes, though with very different views. I will explain myself hereafter upon this point.

Our latest intelligence from America comes by the way of Iceland, and in substance is that the ship of war the *Princess Caroline* had arrived there last from Charleston; that she was at Savannah on the 30th of June; that the garrison had received orders to evacuate that post; that on the 1st of July transports had arrived there from Charleston to take them off; that she carried Governor Wright to Charleston,

where she arrived the 3d of July; that all was then quiet there, but that General Carleton had determined to evacuate that place also, and to keep possession of St. Augustine. Thus it is generally supposed here that those two posts have been evacuated by the British to reinforce New York and their islands, and that New York is besieged, as we learn further by way of London; that Vaudreuil had sailed with twenty ships of the line for our continent, supposed with the design of covering the siege of that place. As to military operations in Europe, Gibraltar now commands universal attention, and it is believed that celebrated rock must soon change its masters, and if so, that this will smooth the way to peace.

I have the honor to be, &c.,

FRANCIS DANA.

P. S.—I do not write to you in your cyphers, because since your last copy is missing I think the reasons against doing it are stronger than when I wrote my last.

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Carmichael to Livingston.\*

ST. ILDEFONSO, *September 29, 1782.*

SIR: I had the honor to address you on the 8th instant, since which we have advice of the disastrous issue of the enterprise with the floating batteries against Gibraltar, but although we have had notice of this misfortune some days past I have delayed writing until I could procure authentic information of the particular circumstances of this event. The enclosed copies of letters and papers, written or sent me by a person in the general's family, will, I hope, prove more satisfactory than any accounts which you will receive from other quarters. The projector, M. d'Arçon, is generally blamed. Enclosed you have a plan of the attack as it was made and as it was intended to have been made, accompanied by a memorial M. d'Arçon has just sent hither to exonerate himself from part of the blame. I saw a letter he wrote an hour after the affair, in which he avows he had deservedly forfeited the confidence reposed in him by two sovereigns, etc., etc., etc.

This news dejected exceedingly the king, the court, and the nation. Their chagrin from the disappointment is, in some measure, proportionate to their confidence of success. It is said, however, that the king is determined to continue the seige, and I believe that this will be the case. At present an expedition in force to the West Indies is in agitation. I am informed from a very good quarter that the command is offered to the Count d'Estaing. The party which opposed him at Versailles, at the head of which is the Duchess Polignac, the queen's favorite, the present minister of the marine, and the ancient, have made advances to him, and seem convinced that he alone can repair the dis-

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\**Ms. Dep. of State; 5 Sparks' Dip. Rev. Corr., 99, with verbal changes and omissions.*

asters of the present campaign. I hear that he is unwilling to accept the command at this critical conjuncture, but as he is the only French admiral who unites the suffrage of this court and nation in his favor it is to be hoped he will comply with the general wish of France and Spain. This affair is yet a secret.

From all accounts I have of the Spanish marine I fear that Gibraltar will be relieved. The expense of this siege has been enormous. I have been assured that during the present campaign it has cost thirty-two millions of piasters of fifteen reals each. This information comes from one of the first clerks of the treasury. The great demand for specie occasioned thereby has depreciated the paper money; it fluctuates between twelve and sixteen per cent. To prevent its further depreciation the court is endeavoring to procure gold from Portugal, and negociates, as I mentioned in former letters, a loan of three millions of florins in Holland, to be augmented in case the subscriptions fill readily. I am assured from thence that they do not, and am told here by a man in the secret that the three millions will be delivered in Spain in the month of December. Messrs. Hope, the negociators of it, subscribe seven hundred and fifty thousand florins.

As I have not had the honor to hear from Messrs. Franklin and Jay anything respecting the negociations at Paris for peace, I can speak only from indirect advice and my own conjectures. I have heard that difficulties have been started respecting the powers of the British plenipotentiary to treat with our commissioners. If this is true it will require some time to remove them. On the whole it may be supposed that the negociation will be spun out until the meeting of Parliament, until the event of the expedition to relieve Gibraltar is known; in fine, until the accounts of Lord Pigot's motions shall have reached Europe, which may appear to give a favorable turn to the British affairs in the West Indies. No expedition can sail from hence in time to prevent the enemy from pushing their operations in that quarter if they proceed thither in force and with despatch. The Dutch are like to do nothing this year; their affairs draw to a crisis, and it is to be hoped that it will prove favorable to our friends. The emperor is occupied in ecclesiastical and civil changes, his health is in a precarious state, and he runs the risk of losing entirely his sight. The motions of Russia indicate a war with the Porte no longer Sublime. The Empress negociates loans in Holland and at Genoa. I have taken measures to be informed of their success. The King of Great Britian, as elector of Hanover, is recruiting in all the imperial cities, and it is said that he is endeavoring to obtain an additional body of German troops for the next campaign. The preparations for war are as vigorous as ever.

I have not yet received an answer on the affair of the Lord Howe mentioned in my last. I visit the ministers and pass offices on this subject and that of the duties, and shall omit nothing that depends on me to obtain satisfaction, and I hope the pains I take will not wholly prove ineffectual. Besides the affairs above mentioned, I am obliged to visit

and write to the judges of the council of war here, on account of law suits in which some of our countrymen are interested, and which are before them by appeal from the inferior jurisdictions. Even justice here is obtained by favor and solicitation. In other respects my situation is more agreeable than I could have expected. I live on the best footing with almost the whole *corps diplomatique*. The ministers of Saxony and Prussia seem much disposed to induce their courts to open a direct commerce with America, particularly if the war continues. For this purpose they have demanded and obtained from me all the information in my power to give them, with every motive that I could employ to persuade their respective courts to engage heartily in this measure. If it is adopted, the Maritime Company at Berlin, under the king's immediate protection, and the elector or his ministers in the name of companies of commerce, will be concerned in the first speculations. I do not enter into details on this subject until I see whether these courts are serious in their intentions.

The advances and offers made me by the minister of Sweden have rendered me less sanguine. He assures me it was insinuated to his sovereign by the French minister, that it would be impolitic in him to incur the ill will of England by precipitating an acknowledgment of our independence previous to its being generally acknowledged by the rest of Europe. I wait with impatience for your instructions and information. In the month of December, all our public accounts here will be arranged, when I shall do myself the honor to transmit you copies. I can not conclude without mentioning that a Mr. Littlepage, from Virginia, has acquired reputation by his gallant conduct in the expedition against Mahon, where he served as aid-de-camp to the Duc de Crillon, and since at Gibraltar, where he acted in the same capacity. The Prince de Nassau, with whom he served as volunteer on board his floating battery, rendered publicly justice to his character at court. You will permit me also to mention Mr. Harrison to you as one who, by his conduct, which has acquired him universal esteem, merits the attention of Congress whenever it shall be judged proper to appoint a consul at Cadiz, of which place he now performs the functions, with great trouble and considerable expense.

I have the honor to be, etc.,

WILLIAM CARMICHAEL.

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J. Adams to La Fayette.\*

THE HAGUE, *September 29, 1782.*

MY DEAR GENERAL: I should have written you since the 29th of May, when I wrote you a letter that I hope you received, if it had not been reported sometimes that you were gone, and at other times that you were upon the point of going, to America.

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\* 3 Sparks' Dip. Rev. Corr., 669; 7 J. Adams' Works, 642.



This people must be indulged in their ordinary march, which you know is with the slow step. We have at length, however, the consent of all the cities and provinces, and have adjusted and agreed upon every article, word, syllable, letter, and point, and clerks are employed in making out five fair copies for the signature, which will be done this week.

Amidst the innumerable crowd of loans which are open in this country, many of which have little success, I was much afraid that ours would have failed. I have, however, the pleasure to inform you that I am at least one million and a half in cash, about three millions of livres, which will be a considerable aid to the operations of our financier at Philadelphia, and I hope your court, with their usual goodness, will make up the rest that may be wanting.

I am now as well situated as I ever can be in Europe. I have the honor to live upon agreeable terms of civility with the ambassadors of France and Spain; and the ministers of all the other powers of Europe, whom I meet at the houses of the French and Spanish ministers, as well as at court, are complaisant and sociable. Those from Russia and Denmark are the most reserved. Those from Sardinia and Portugal are very civil. The ministers of all the neutral powers consider our independence as decided. One of those even from Russia said so not long ago, and that from Portugal said it to me within a few days. You and I have known this point to have been decided a long time; but it is but lately that the ministers of neutral powers, however they might think, have frankly expressed their opinions; and it is now an indication that it begins to be the sentiment of their courts, for they do not often advance faster than their masters, in expressing their sentiments upon political points of this magnitude.

Pray, what are the sentiments of the *corps diplomatique* at Versailles? What progress is made in the negociation for peace? Can anything be done before the British Parliament, or at least the court of St. James acknowledge the sovereignty of the United States, absolute and unlimited?

It would give me great pleasure to receive a line from you as often as your leisure will admit.

With great esteem, I have the honor to be, sir, your most obedient servant,

JOHN ADAMS.

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Luzerne to Washington.\*

[Translation.]

PHILADELPHIA, *September 29, 1782.*

SIR: I have received the letter which your excellency did me the honor to write to me on the 22d of this month, with the news which accompanied it. I beg you to accept my sincere thanks.



I have the honor to transmit you the extract of an answer, made by express order of the king, on the 21st of June, to Mr. Grenville. I pray you to be pleased to keep it a secret; all that I can add is, that the negotiations were still in agitation the beginning of July, but there had been in the conduct of the British minister many circumstances which led to doubt his sincerity; I believe that even if there had been a sincere disposition to treat, the death of the Marquis of Rockingham had occasioned a change.

I have just received your excellency's letter of the 24th; I can not but thank you for the goodness which you have had in transmitting me the detail which it contains. I doubt not but M. de Vaudreuil will profit by the advice, and put himself in a posture of defence.

I have the honor to be, etc.,

LUZERNE.

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Morris to Franklin.\*

OFFICE OF FINANCE, *September 30, 1782.*

SIR: It is in some respects fortunate that our stores were not shipped, because, as you observe, they might have been taken, but I hope they are now on the way, for if they are to lie in France at a heavy expense of storage, &c., while we suffer for the want, it will be even worse than if they were taken. You will find by the letters which are to go with this that Mr. Barclay is prohibited from making any more purchases on account of the United States. I confess that I disapprove of those he has made, for the purchase of unnecessary things because they are cheap appears to be a very great extravagance. We want the money as much as anything else, and the world must form a strange idea of our management if, while we are begging to borrow, we leave vast magazines of clothing to rot at Brest and purchase others to be shipped from Holland. I have said nothing on this subject to Mr. Barclay, because the thing having been done could not be undone and because the pointed resolutions of Congress on the subject will prevent any more such operations.

What I have now said, however, will, I hope, lead you to urge on him the necessity of making immediate shipments of all stores in Europe. A merchant does not sustain a total loss of his goods by their detention, but the public do. The service of the year must be accomplished within the year by such means as the year affords. The detention of our goods has obliged me to purchase clothing and other articles at a great expense, while those very things were lying about at different places in Europe. I am sure that any demand made for money on our part must appear extraordinary while we show so great negligence of the property we possess. The funds, therefore, which

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\* 6 Sparks' Dip. Rev. Corr., 547.

were obtained for the year 1781, are not only rendered useless during the year 1781, but so far pernicious as that the disposition of them will naturally influence a diminution of the grants made for the year 1782.

You mention in yours of the 25th of June that you would send enclosed the account of the replacing of the Lafayette's cargo if it could be copied in season. As it did not arrive I shall expect it by the next opportunity.

I have received Mr. Grand's accounts, which are not settled in the manner I wish, and in consequence I have written to him by this opportunity to alter them. I have desired him to give your account credit for every livre received previous to the current year, including therein the loan of ten millions of livres in Holland, though a part of it may not have been received until this year. I have desired him to debit your account for every expenditure made by your order, which will include all your acceptances of bills, &c., and of course M. de Beaumarchais's bills, if they shall have been paid. Finally, I have desired him to carry the balance of your account to mine, in which he is to credit all moneys received for the current year; for instance, the six millions (and the other six if they are obtained), together with such moneys as may come to his hands from the loan opened for the United States by Messrs. Willink, Staphorst & Co.

I did expect to have had some kind of adjustment made by this time of Captain Gillon's affair, but Congress referred much of it to a committee, with whom it has long slept, but I have informed Mr. Gillon that I must have a settlement, and at present I wait a little for the determination of Congress.

You mention to me that the interest on the ten millions, Dutch loan, is payable at Paris annually on the 5th of November at four per cent. I must request you to send me the particular details on this subject, such as who it is payable to and by whom, that I may make proper arrangements for a punctual performance so as not to incur unnecessary expense. I presume that the first year's interest may be discharged before this reaches you, but at any rate I enclose a letter to Mr. Grand to prevent any ill consequences which might arise from a deficiency of payment.

I informed you in mine of the 1st of July that Congress had resolved to appoint a commissioner to settle the public accounts in Europe. This is not done, but they have reconsidered and committed the resolution. Where the thing will end, I do not know; I think, however, that eventually they must send over some person for the purpose.

The appearances of peace have been materially disserviceable to us here, and the general cautions on the subject from Europe and the most pointed applications from the public officers will not prevent that lethargy which the very name of peace extends through all the States. I hope measures will be taken by our public ministers in Europe to prevent the people from falling into the snares which the enemy has laid.

Undue security in opinion is generally very hurtful in effect, and I dread the consequences of it here, if the war is to be carried on, which is not improbable.

I am, sir, &c.,

ROBERT MORRIS.

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Madison to Randolph.\*

SEPTEMBER 30, 1782.

No addition has been made to our stock of intelligence from Europe since the arrival of the French frigates. Some letters of the Marquis de La Fayette and others have since come to hand, but they are all of the same date with the despatches then received. One of the marquis' paragraphs, indeed, signifies the tergiversation of Mr. (T.) Grenville, which had been only in general mentioned to us before. On the communication made by this gentleman to the Count de Vergennes of the object of his mission he proposed verbally the unconditional acknowledgment of American independence as a point to which the king had agreed. The Count de Vergennes immediately wrote it down, and requested him to put his name to the declaration. Mr. Grenville drew back and refused to abide by anything more than that the king was *disposed* to grant American independence. This illustrates the *shade* of difference between Shelburne and Fox.

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Commission to William T. Franklin.†

Oct. 1, 1782.

*To all to whom these presents shall come,*

*Benjamin Franklin and John Jay send greeting :*

Whereas the United States of America in Congress assembled did, on the 15th of June, in the year of our Lord 1781, appoint and constitute the said Benjamin Franklin, John Jay, John Adams, Henry Laurens, and Thomas Jefferson, and the majority of them, and of such of them as should assemble for the purpose, their commissioners and plenipotentiaries to treat of and conclude peace in their behalf; and whereas the said United States in Congress assembled, did, on the 26th of June, in the year of our Lord 1781, appoint Francis Dana, until he could proceed to the court of Petersburg either in a public or private capacity, to be secretary to the said plenipotentiaries for negotiating a peace with Great Britain, and in case Mr. Dana should have proceeded or thereafter proceed to Petersburg or to any part of the dominions of the Empress of Russia, the ministers appointed by the said act of Congress of

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\* 1 Madison Papers, 179.

† MSS. Dep. of State ; 5 Sparks' Dip. Rev. Corr., 448.

the 15th of June, 1781, or a majority of such of them as should assemble, should be and thereby were authorized to appoint a secretary to their commission, and that he be entitled to receive in proportion to his time of service the salary of one thousand pounds sterling per annum allowed to Mr. Dana; and whereas his Britannic majesty has issued a commission dated the 21st of September, 1782, to Richard Oswald; to treat of and conclude peace with any commissioners or persons vested with equal powers by and on the part of the thirteen United States of America; and whereas the said Richard Oswald is at Paris, ready to execute his said commission, and has exchanged with the said Benjamin Franklin and John Jay copies of their respective commissions, and entered on the business of the same, whereby the appointment of a secretary to the American commission has become necessary, and, the said Mr. Dana now being at Petersburg, the right of appointing such secretary has, in pursuance of the afore-recited act of Congress, devolved on the said commissioners and on the majority of them, and of such of them as have assembled for the purpose of executing their said commission; and whereas Mr. Jefferson, one of the said commissioners, has not come to Europe, and Mr. Laurens, another of them, has declined to accept the said office, and Mr. Adams, another of them, is at The Hague, so that the said Benjamin Franklin and John Jay are the only commissioners now assembled to execute the said commission:

Now know ye that they, reposing special trust and confidence in the ability and integrity of William T. Franklin to perform and fulfill the duties of secretary to their said commission, have appointed and constituted, and by these presents do appoint and constitute, the said William T. Franklin secretary to the said commission.

In witness whereof, the said Benjamin Franklin and John Jay have hereunto set their hands and seals this first day of October, in the year of our Lord one thousand seven hundred and eighty-two, and in the seventh year of the independence of the said United States.

B. FRANKLIN,  
JOHN JAY.

Approved on my part, Mr. Franklin having acted with propriety as secretary to the commission from the time of my arrival here.

HENRY LAURENS.

PARIS, *January* 10, 1783.

Approved on my part, Mr. Franklin having acted with propriety as secretary to the commission from the time of my arrival here.

JOHN ADAMS.

PARIS, *September* 8, 1783.

Morris to Franklin. \*

OFFICE OF FINANCE, *October 1, 1782.*

SIR: In my letter of the 27th of September last, I expressed my wish "that the court of Spain should give orders for the shipment of a million of dollars at the Havana, free of duties, and to be convoyed by one or more ships of the line to an American port," &c. Upon further reflection, I am induced to believe that the court of Spain will not go into the whole of this arrangement, for, although they may and probably will agree to so much of it as will procure them an equivalent in France for the one million dollars to be shipped from the Havana, yet there are reasons to doubt whether they will convoy the Washington hither. I wish, therefore (should you meet with difficulties in that quarter), to apply to the court for such convoy. I wish it may consist of a ship of the line, because none but frigates will cruise on this coast during the winter, and therefore a ship of the line will afford more protection than two or three frigates. However, this will depend entirely on the convenience or inconvenience which may attend the business. I shall communicate both this letter and that of the 27th to the Chevalier de la Luzerne, on whose representations I rely much, as well for procuring the aid asked for, as for accomplishing the necessary arrangements after it is procured.

I am, sir, &amp;c.,

ROBERT MORRIS.

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 Luzerne to Washington.†

[Translation.]

PHILADELPHIA, *October 1, 1782.*

SIR: I send to New York M. Barbe, who has the honor to be known to your excellency. The principal objects of his journey are some arrangements relative to the French prisoners carried into New York, and of some Spaniards who have been carried there also. I have charged him to see M. la Touche and to give him such consolation as depends upon me. I would, at the same time, wish to repurchase in New York some effects which I had coming from France in the *Eagle*, and which I can not replace here. I could wish you, sir, to give all the assistance in your power to M. Barbe's gaining admission into New York and returning.

I am, &amp;c.,

LUZERNE.

\* 6 Spark's Dip. Rev. Corr., 549.

† 6 Spark's Dip. Rev. Corr., 90.

## General Greene to Livingston.\*

HEADQUARTERS, *October 2, 1782.*

SIR: Your letter of the 13th of May did not come to hand until some time in August, before the receipt of which his excellency General Washington had communicated the agreeable information of the birth of a dauphin and directed that some public declaration of our feelings should be had upon the occasion. Accordingly, on the 4th of July, we fired a *feu de joie*, and gave every testimony in our power of the pleasure and happiness we felt upon an event so interesting to our good ally and so intimately connected with the welfare of America, and I beg you will communicate to the minister in Philadelphia how sincerely the officers of this army participate in the general joy which this public blessing diffuses through France and America.

It is with infinite satisfaction that I inform you that the enemy is making every preparation for the evacuation of Charleston, the last and only place they hold in any of the Southern United States.

I hope a general peace will follow and that America may long enjoy, without interruption, the blessings she has been so long contending for.

I have the honor to be, &c.,

NATHANIEL GREENE.

## Morris to Luzerne.†

OFFICE OF FINANCE, *October 2, 1782.*

SIR: I have the honor to enclose for your excellency's perusal the copies of letters from this office to Dr. Franklin of the 27th of last month and the 1st instant. I am to entreat, sir, that you will represent to your court the necessity of the application which Congress have directed their minister to make for four millions of dollars. The resolutions on the subject have, I suppose, been communicated to you by the secretary of foreign affairs. I have also to request that you will facilitate the arrangements proposed in my letters already mentioned, the advantages of which are so well known to you that I shall not dwell on them.

With real esteem and respect, &c.,

ROBERT MORRIS.

## Resolutions of Congress.‡

IN CONGRESS, *October 3, 1782.*

On report of a committee, to whom were referred notes of a conference with the minister of France, held by a committee of Congress consisting of Messrs. Duane, Rutledge, Montgomery, Madison, Bland on the 24th of September last;

\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 200.

† 6 Sparks' Dip. Rev. Corr., 549.

‡ MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 449; 3 Secret Journals, 138, 218.



*Resolved*, That the minister plenipotentiary of his most Christian majesty be informed :

That the communication made by the said minister on the 24th of September last is considered by Congress as an additional proof of his majesty's magnanimity, and has confirmed those sentiments of affection and confidence which his wise, steady, and liberal conduct in every stage of the war had so justly inspired ;

That his most Christian majesty's declaration to the British minister at Paris, that he will neither treat nor terminate any negotiation unless the interests of his allies and friends shall be considered and determined, is entirely correspondent to the part which these United States are resolved to take in any negotiations for peace ;

That Congress, with the utmost satisfaction, embrace this opportunity to renew their assurances that, in every event, the United States will inviolably adhere to their alliance with his most Christian majesty, which they consider to be equally essential to their interest and their glory ;

That they will hearken to no propositions for peace which shall not be discussed in confidence and in concert with his most Christian majesty, agreeably to the declaration made to the minister plenipotentiary on the 31st day of May last ;

That upon this principle Congress did not hesitate a moment to reject the proposition made by the British general and admiral, as commissioners of peace, for admitting Mr. Morgan, their secretary, to an interview at Philadelphia ;

And that they are resolved to prosecute the war with vigor, until a general peace shall be obtained, in which their allies shall be comprehended ;

That Congress place the utmost confidence in his majesty's assurances that he will readily employ his good offices in support of the United States in all points relative to their prosperity ; and considering the territorial claims of these States, as heretofore made, their participation of the fisheries and of the free navigation of the Mississippi, not only as their indubitable right, but as essential to their prosperity, they trust that his majesty's efforts will be successfully employed to obtain a sufficient provision and security for those rights. Nor can they refrain from making known to his majesty that any claim of restitution or compensation for property confiscated in the several States will meet with insuperable obstacles ; not only on account of the sovereignty of the individual States, by which such confiscations have been made, but of the wanton devastations which the citizens of these States have experienced from the enemy, and, in many instances, from the very persons in whose favor such claim may be urged ;

That Congress trust that the circumstances of the allies at the negotiation for peace will be so prosperous as to render these expectations consistent with the spirit of moderation recommended by his majesty.

*Ordered*, That the committee who brought in the report communicate to the honorable minister of France the above answer of Congress to his communications.

*Ordered*, That the secretary for foreign affairs transmit by the first opportunity a copy of the same to the ministers of these States at foreign courts.

Secret Journal of Congress.\*

OCTOBER 3, 1782.

The last paragraph of the foregoing report (as to communication to the French minister) having been reported by the committee, as follows:

“That Congress place the utmost confidence in his majesty’s assurances that he will readily employ his good offices in support of the United States in all points relative to their prosperity; and considering their participation of the fisheries, their territorial claims, and the free navigation of the Mississippi,” &c., as above. When this was under debate, a motion was made by Mr. Rutledge, seconded by Mr. Lee, after “territorial claims” to insert the words “as stated in the instructions to their minister on the 13th August, 1779;” and on the question to agree to that amendment, the yeas and nays being required by Mr. Bland—

New Hampshire.....	Mr. Gilman .....	No.	No.
Massachusetts.....	{ Mr. Osgood .....	No.	{ No.
	{ Mr. Jackson.....	No.	
Connecticut .....	{ Mr. Huntington .....	Aye.	{ Aye.
	{ Mr. Dyer .....	Aye.	
New York .....	{ Mr. Duane .....	Aye.	{ Aye.
	{ Mr. L’Hommedieu .....	Aye.	
New Jersey .....	{ Mr. Boudinot .....	No.	{ No.
	{ Mr. Condict .....	No.	
	{ Mr. Witherspoon .....	No.	
Pennsylvania .....	{ Mr. Montgomery .....	No.	{ No.
	{ Mr. Smith .....	No.	
	{ Mr. Clymer .....	No.	
	{ Mr. Atlee .....	No.	
Maryland .....	{ Mr. Hanson .....	No.	{ No.
	{ Mr. Carroll.....	No.	
	{ Mr. Wright .....	No.	
	{ Mr. Hemsley .....	No.	
Virginia .....	{ Mr. J. Jones .....	Aye.	{ Aye.
	{ Mr. Madison .....	Aye.	
	{ Mr. Bland .....	Aye.	
	{ Mr. Lee.....	Aye.	
North Carolina .....	{ Mr. Williamson .....	Aye.	{ Aye.
	{ Mr. Blount .....	Aye.	
South Carolina .....	{ Mr. Rutledge .....	Aye.	{ Aye.
	{ Mr. Ramsay .....	Aye.	
	{ Mr. Izard .....	Aye.	
	{ Mr. Gervais .....	Aye.	
	{ Mr. Middleton.....	Aye.	
Georgia .....	{ Mr. Jones.....	Aye.	{ Aye.
	{ Mr. Few .....	Aye.	

So the question was lost.

\* MSS. Dept. of State.

A motion was then made by Mr. Duane, seconded by Mr. Witherspoon, to transpose the clause, with an amendment, so as to read, "the territorial claims of these States, their participation of the fisheries and of the free navigation of the Mississippi."

A motion was made by Mr. Wright, seconded by Mr. Condict, to amend the amendment by inserting the word "United" before the word "States;" and on the question to agree to this amendment, the yeas and nays being required by Mr. Bland—

New Hampshire.....	Mr. Gilman.....	Aye.	Aye.
Massachusetts.....	{ Mr. Osgood.....	Aye.	{ Aye.
	{ Mr. Jackson.....	Aye.	
Connecticut.....	{ Mr. Huntingdon.....	No.	{ No.
	{ Mr. Dyer.....	No.	
New York.....	{ Mr. Duane.....	Aye.	{ Aye.
	{ Mr. L'Hommedieu.....	Aye.	
New Jersey.....	{ Mr. Boudinot.....	Aye.	{ Aye.
	{ Mr. Condict.....	Aye.	
	{ Mr. Witherspoon.....	Aye.	
Pennsylvania.....	{ Mr. Montgomery.....	No.	{ Aye.
	{ Mr. Smith.....	Aye.	
	{ Mr. Clymer.....	Aye.	
	{ Mr. Atlee.....	Aye.	
Maryland.....	{ Mr. Hanson.....	Aye.	{ Aye.
	{ Mr. Carroll.....	Aye.	
	{ Mr. Wright.....	Aye.	
	{ Mr. Hemsley.....	Aye.	
Virginia.....	{ Mr. J. Jones.....	No.	{ No.
	{ Mr. Madison.....	No.	
	{ Mr. Bland.....	No.	
	{ Mr. Lee.....	No.	
North Carolina.....	{ Mr. Williamson.....	No.	{ No.
	{ Mr. Blount.....	No.	
South Carolina.....	{ Mr. Rutledge.....	No.	{ No.
	{ Mr. Ramsay.....	No.	
	{ Mr. Izard.....	No.	
	{ Mr. Gervais.....	No.	
	{ Mr. Middleton.....	No.	
Georgia.....	{ Mr. N. W. Jones.....	No.	{ No.
	{ Mr. Few.....	No.	

So the question was lost.

A motion was then made by Mr. Rutledge, seconded by Mr. Lee, to amend the amendment by inserting after the word "States" these words, "in behalf of the United States;" and on the question to agree to this, the yeas and nays being required by Mr. Bland—

New Hampshire.....	Mr. Gilman.....	No.	No.
Massachusetts.....	{ Mr. Osgood.....	No.	{ No.
	{ Mr. Jackson.....	No.	
Connecticut.....	{ Mr. Huntingdon.....	Aye.	{ Aye.
	{ Mr. Dyer.....	Aye.	
New York.....	{ Mr. Duane.....	Aye.	{ 0.
	{ Mr. L'Hommedieu.....	No.	
New Jersey.....	{ Mr. Boudinot.....	No.	{ No.
	{ Mr. Condict.....	No.	
	{ Mr. Witherspoon.....	No.	
Pennsylvania.....	{ Mr. Montgomery.....	No.	{ No.
	{ Mr. Smith.....	No.	
	{ Mr. Clymer.....	No.	
	{ Mr. Atlee.....	No.	

Maryland .....	{ Mr. Hanson.....No. Mr. Carroll.....No. Mr. Wright.....No. Mr. Hemsley.....No. }	No.
Virginia .....	{ Mr. J. Jones.....Aye. Mr. Madison.....No. Mr. Bland.....Aye. Mr. Lee.....Aye. }	Aye.
North Carolina .....	{ Mr. Williamson.....Aye. Mr. Blount.....Aye. }	Aye.
South Carolina .....	{ Mr. Rutledge.....Aye. Mr. Ransey.....Aye. Mr. Izard.....Aye. Mr. Gervais.....Aye. Mr. Middleton.....Aye. }	Aye.
Georgia .....	{ Mr. N. W. Jones.....Aye. Mr. Few.....Aye. }	Aye.

So the question was lost.

A motion was then made to amend the amendment, by inserting the words "as heretofore made," after the word "States," which was agreed to; and the amendment being then adopted, on the question to agree to the whole report as amended, it was resolved in the affirmative by the votes of nine States.

*Ordered,* That the committee who brought in the report communicate to the honorable the minister of France the above answer of Congress to his communications.

*Ordered,* That the secretary for foreign affairs transmit by the first opportunity a copy of the same to the ministers of these States at foreign courts.

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**Vergennes to Franklin.\***

[Translation.]

VERSAILLES, *October 3, 1782.*

SIR: I have the honor to return you the commission appointing Thomas Barclay consul of the United States to reside in France, and I endorse the exequatur, which is requisite for the exercise of his functions. I must inform you that the latter of these will require the admiral's signature previously to its being registered, either by the secretary of the admiralty at L'Orient, where Mr. Barclay intends to fix his residence, or by those of other ports of the kingdom where commercial considerations may require his presence.

I have the honor to be, etc.,

DE VERGENNES.

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\* 2 Sparks' Dip. Rev. Corr., 380.

## Hartley to Franklin.\*

BATH, October 4, 1782.

MY DEAR FRIEND: I only write one line to you, to let you know that I am not forgetful of you or of our common concerns. I have not heard anything from the ministry yet; I believe it is a kind of vacation with them before the meeting of Parliament. I have told you of a proposition which I have had some thoughts to make as a kind of copartnership in commerce. I send you a purposed temporary convention which I have drawn up. You are to consider it only as one I recommended. The words underlined are grafted upon the proposition of my memorial, dated May 19, 1778. You will see the principle which I have in my thoughts to extend for the purpose of restoring our ancient copartnership generally.

I can not tell you what event things may take, but my thoughts are always employed in endeavoring to arrange that system upon which the *china vase*, lately shattered, may be cemented together upon principles of compact and connexion instead of dependence.

I have met with a sentiment in this country which gives some alarm, viz, lest the unity of government in America should be uncertain and the States reject the authority of Congress. Some passages in General Washington's letter have given weight to these doubts. I do not hear of any tendency to this opinion *that the American States will break to pieces, and then we may still conquer them*. I believe all that folly is extinguished. But many serious and well disposed persons are alarmed lest *this should be the ill-fated moment for relaxing the powers of the union and annihilating the cement of confederation* (*vide* Washington's letter), and that Great Britain should thereby lose her best and wisest hope of being reconnected with the American States *unitedly*. I should for one think it the greatest misfortune. Pray give me some opinion upon this.

You see there is likewise another turn which may be given to this sentiment by intemperate and disappointed people, who may indulge a passionate revenge for their own disappointments by endeavoring to excite general distrust, discord, and disunion. I wish to be prepared and guarded at all points.

I beg my best compliments to your colleagues; be so good as to show this letter to them. I beg particularly my condolence (and I hope congratulation) to Mr. Adams; I hear that he has been very dangerously ill, but that he is again recovered. I hope the latter part is true, and that we shall all survive to set our hands to some future compacts of common interest and common affection between our two countries.

Your ever affectionate,

D. HARTLEY.

On October 4, 1782, Congress unanimously adopted the following declaration: "It appears that the British court still flatters itself with the vain hope of prevailing

on the United States to agree to some terms of dependence upon Great Britain, or at least to a separate peace; and there is reason to believe that commissioners may be sent to America to offer propositions of that nature to the United States, or that secret emissaries may be employed to delude and deceive. In order, therefore, to extinguish ill-founded hopes, to frustrate insidious attempts, and to manifest to the whole world the purity of the intentions and the fixed and unalterable determination of the United States—

*Resolved*, unanimously, that Congress are sincerely desirous of an honorable and permanent peace; that as the only means of obtaining it they will inviolably adhere to the treaty of alliance with his most Christian majesty, and conclude neither a separate peace nor truce with Great Britain; that they will prosecute the war with vigor until, by the blessing of God on the united arms, a peace shall be happily accomplished by which the full and absolute sovereignty and independence of these United States having been duly assured their rights and interests, as well as those of their allies, shall be effectually provided for and secured."

It was further declared that Congress would not enter on the discussion of any overtures for peace except "in concert with his most Christian majesty." (4 Journ. Cong., 84-'5. See instructions of June 15, 1781, proceedings of May 31, 1782, Aug. 8, 1782, and introductory observations.

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Morris to Hamilton.\*

OFFICE OF FINANCE, *October 5, 1782.*

SIR: I have now before me your letters of the 14th and 21st of last month. I am sorry to find that you are less sanguine in your pecuniary expectations than the governor appears to be; for I have always found that the worse forebodings on this subject are the truest.

I am not surprised to find that the contractors apply with their paper, in the first instance, to the receivers and collectors. This I expected, because much of that paper is not fit for other purposes. Some of it, however, which is payable to the bearer, is calculated for circulation, which you observe, is not so general as otherwise it might have been, by reason of the largeness of the sums in the note. Mr. Duer's letters contain the same sentiment.

In issuing this paper, one principal view was to facilitate the payment of taxes, by obviating the too general, though unjust, complaint of the want of a circulating medium. In substituting paper for specie, the first obstacle to be encountered was the difference which has arisen from the late profusion of it. Had a considerable quantity been thrown into the hands of that class of people whose ideas on the subject of money are more the offspring of habit than of reason, it must have depreciated. That this apprehension was just is clear from this fact, that the paper I first issued and the bank paper which came out after it did depreciate from ten to fifteen per cent. in the eastern States, notwithstanding all the precautions which were used. If I had not taken immediate measures to create a demand for it on the spot and to stop issues to

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\* 6 Sparks' Dip. Rev. Corr., 550.



that quarter, its credit would have been totally lost for a time, and not easily restored. Besides that the quantities which were pouring in from thence would have done mischief here. Confidence is a plant of slow growth, and our political situation is not too favorable to it. I am, therefore, very unwilling to hazard the germ of a credit which will in its greater maturity become very useful. If my notes circulate only among mercantile people, I do not regret it, but rather wish that the circulation may be for the present confined to them and to the wealthier members of the professions.

It is nothing but the greater convenience which will induce people to prefer any kind of paper to the precious metal, and this convenience is principally felt in large sums. Whenever the shopkeepers in general discover that my paper will answer as a remittance to the principal ports and will be readily exchanged by the receivers, they will as readily exchange it for other people. When the people in general find that the shopkeepers receive it freely, they will begin to look after it, and not before. For you must know, whatever fine, plausible speeches may be made on this subject, the farmers will not give full credit to money merely because it will pay taxes, for that is an object they are not very violently devoted to; but that money that goes freely at the store and tavern will be sought after as greedily as those things which the store and the tavern contain.

Still, however, your objection remains good, that the trafficking in which the greater part of the community engage, do not require sums so large as twenty dollars. This I shall readily acknowledge; but you will observe that there is infinitely less danger that notes which go only through the hands of intelligent people will be counterfeited, than small ones that come to the possession of illiterate men. When public credit is firmly established the little shocks it receives from the counterfeiters of paper money do not lead to material consequences; but in the present ticklish state of things there is just ground of apprehension. Besides this the value of paper will depend much upon the interchanges of it for specie; and these will not take place when there is a circulation of small paper. Lastly, I have to observe that, until more reliance can be placed on the revenues required, I dare not issue any very considerable amount of this paper lest I should be run upon for more than I could answer; and as the circulation of what I dare issue, by increasing the general mass, enables people (as far as it goes) more easily to get hold of other money, it consequently produces, in its degree, that object of facilitating taxation, which I had in view.

I am, sir, &c.,

ROBERT MORRIS.

Lafayette to Adams.\*

PARIS, *October 6, 1782.*

MY DEAR SIR: Your favor of the 29th last has safely come to hand, for which I am the more obliged to you as I set the greater value by the honor of your correspondence. I have been long waiting for a safe opportunity to write, and will endeavor this may steer clear of the post-offices, as the itching fingers of the clerks do not permit any secret to pass unnoticed.

I am happy to hear you have walked on with our Dutch friends to the wished-for conclusion of the treaty of commerce. Amidst the wonders you have performed in that country, I greatly rejoice at your having succeeded in money matters, the more so as I apprehend our financier needs much a European assistance, and the great expenses they have made in this country give me but little hope to obtain a further supply than the six millions and the balance of accounts which have been determined upon since the time I arrived from America.

Mr. Jay advances but slowly with the Spaniards; in fact, he does not advance at all; and, though Count d'Aranda has got powers, though he has with a pencil drawn an extravagant line this side of the Mississippi, yet until powers are exchanged upon an equal footing, and until the Spanish pencil is transported three hundred miles westward, there is no doing anything towards settling a treaty with that nation. As to the grand affair of peace, there are reasons to believe it will take place. Many attempts have been made to treat upon an unequal footing, which, by the bye, was a very impertinent proposal, but we stood firm, deaf, and dumb, and as France refused to enter into business until we were made to hear and to speak, at last, with much reluctance and great pains, his Britannic majesty and council were safely delivered of a commission to treat with plenipotentiaries from the United States of America. In case we are to judge from appearances, one would think Great Britain is in earnest; but, when we consider the temper of the king and his minister, the foolish, ridiculous issue of the attempt against Gibraltar, the collection of forces at New York (the greater part of which are destined to the West Indies), and the combination of the American, French, Spanish, Dutch interests on the one hand and those of a haughty nation on the other, it appears probable that five or six months will pass before the work of peace is happily concluded; but it will be concluded before next summer appears to me the most probable idea that can be formed upon this matter.

We have letters from America as late as the 6th of September. M. de Vaudreuil and his squadron had arrived at Boston. It was said Charleston would be evacuated and the troops sent to New York. There was a rumor of Madras having been taken; at least, we may look for good news from the East Indies.

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\* 7 J. Adams' Works, 644.

As I have no public capacity to be let into political secrets, I beg you will consider these communications as confidential.

And have the honor to be, &c.,

LAFAYETTE.

Morris to the Governor of North Carolina. \*

OFFICE OF FINANCE, *October 7, 1782.*

SIR: Since the receipt of your favor of the 20th of August last, I have received copies of a correspondence between yourself and colonel Carrington, on the subject of specific supplies. The disposition which you have expressed (in your letter to me, and which indeed breathes through your whole correspondence) to promote those plans of regularity and economy which Congress have adopted, command my sincere acknowledgments.

I perceive that there is a difference of opinion between the officers of the Continent and your State on the receiving specific supplies, which I attribute principally to some misunderstanding of the matter. The specific supplies called for by Congress in their several resolutions on that subject are undoubtedly receivable, and ought above eighteen months ago to have been received on the requisitions which were made at the rates for that purpose mentioned. Such as it may now suit any State to deliver on those requisitions, ought in like manner to be carried to account. But it is very clear that they can not be received on account of the subsequent money requisitions. The several quotas of the eight millions asked for last year, to supply the current expenditures of the year 1782, must be paid in cash, or, what is equivalent to it, in my notes or bank notes. I can not consent to receive anything else. It is by this means alone that economy can be established, order restored, and confusion, that parent of fraud too apt to introduce itself into public accounts, banished and destroyed.

I incline to think that as Congress have determined to have all accounts settled and liquidated to the end of the year 1781, your State would rather choose to attend only to the money requisition, and leave the further delivery of specifics to a liquidation of the old accounts; but if not, there can be no doubt but the specifics will be received, and in such case I will give the gentleman whom I shall appoint as receiver of taxes in your State instructions how to dispose of them; but I must again repeat, sir, that I will not accept one particle of them in abatement of the State quota for the year 1782.

Before I close this letter I must take the liberty to mention a matter which suggests itself from one of your letters to Colonel Carrington. You tell him that you will continue the prohibition against sending certain things out of the State, in order that he may purchase for the

\* 6 Sparks' Dip. Rev. Corr., 553.

United States on better terms. Now, sir, while I feel it my duty to require justice for the United States, it is equally my duty to take care that equal justice be done to the several States individually considered, as well as to the individuals which compose them. I am, therefore, to request that all such restrictions be taken off. They sour people's minds, destroy the spirit of industry, impair by a rapid as well as a certain progress the public wealth of the State, producing a dearth of the things embargoed, eventually enhance the prices far more than they could have been increased by any other mode. Whereas perfect freedom makes the people easy, happy, rich, and able to pay taxes, and the taxes when paid can be expended amid a plenty of products, and consequently be expended to advantage. I say a plenty of products, because I know that liberty to dispose of them to the greatest advantage will encourage men to raise them, and produce a plenty. Your excellency will, I hope, excuse reflections which arise from an ardent desire to promote the general welfare and happiness of all the inhabitants of the United States.

I have the honor to be, &c.,

ROBERT MORRIS.

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Morris to Franklin.\*

OFFICE OF FINANCE, *October 7, 1782.*

SIR: Captain Barney having been detained until this day, and it being probable that he will not arrive in Europe so early as I expected, I am very doubtful whether it would be proper to send him to the Havana, but think it would be better he should return immediately hither, because it is likely that the negociation I proposed will consume more time than he can spare. His ship is small, but she sails remarkably well, and will, therefore, give us a good chance of being well informed of the situation of our affairs.

If there is likely to be any delay or difficulty in the Havana plan, it will be best that you endeavor to obtain the shipment of a considerable sum in Europe on board some of the king's frigates. At any rate, we must have money, and I think you may venture fifty thousand crowns by this vessel. You will see that Captain Barney is put under your directions, and is to wait your instructions; but I must, at the same time, inform you that Congress have directed his ship to be purchased, and sent to France, among other things, for the purpose of obtaining a better communication with their servants, and more frequent and accurate intelligence from Europe. You will see, therefore, the propriety of despatching her as speedily as possible, and I think we may, probably, fall upon ways and means to afford you frequent opportunities of writing with a great chance of security.

I am, sir, &c.,

ROBERT MORRIS.

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\* 6 Sparks' Dip. Rev. Corr., 552.

J. Adams to Jay.\*

THE HAGUE, *October 7, 1782.*

DEAR SIR: Your favor of the 28th ultimo was brought me last night. On Friday last I was notified by the messenger of their high mightinesses that the treaties would be ready for signature on Monday, this day. I am, accordingly, at noon, to go to the assembly, and finish the business. But when this is done, some time will be indispensable to prepare my despatches for Congress, and look out for the most favorable conveyances for them. I must also sign another thousand of obligations at least, that the loan may not stand still. All this shall be despatched with all the diligence in my power, but it will necessarily take up some time, and my health is so far from being robust that it will be impossible for me to ride with as much rapidity as I could formerly, although never remarkable for a quick traveller. If anything in the mean time should be in agitation concerning peace, in which there should be any difference of opinion between you and your colleague, you have a right to insist upon informing me by express, or waiting till I come.

8th. The signature was put off yesterday until to-day, by the prince being in conference with their high mightinesses, and laying his orders to the navy before them.

With great regard, your humble servant,

JOHN ADAMS.

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 J. Adams to Livingston.†
THE HAGUE, *October 8, 1782.*

SIR: At twelve o'clock to-day I proceeded, according to appointment, to the State House, where I was received with the usual formalities at the head of the stairs by M. Van Santheuvel, a deputy from the province of Holland, and M. Van Lynden, the first noble of Zealand, and a deputy from that province, and by them conducted into the chamber of business (*chambre de besogne*), an apartment belonging to the truce chamber (*chambre de trêve*) where were executed the treaty of commerce and the convention concerning recaptures, after an exchange of full powers.

The treaty and convention are both enclosed, or at least an authentic copy of each. If the copy should arrive before the original, which I shall reserve to be sent by the safest opportunity I can find, it will be a sufficient foundation for the ratification of Congress. I hope the treaty will be satisfactory to Congress. It has taken up much time to obtain the remarks and the consent of all the members of this complicated sovereignty. Very little of this time has been taken up by me,

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\* 3 Sparks' Dip. Rev. Corr., 670; 7 J. Adams' Works, 645.

† MSS. Dep. of State, 3 Sparks' Dip. Rev. Corr., 671; 7 J. Adams' Works, 646.

as Congress will see by the resolution of their high mightinesses, containing the power to the deputies to conclude and sign the treaty; for although all communications were made to me in Dutch, a language in which I was not sufficiently skilled to depend upon my own knowledge, M. Dumas was ever at hand and ever ready to interpret to me everything in French, by which means I was always able to give my answers without loss of time. The papers, in which the whole progress of this negociation is contained in Dutch, French, and English, make a large bundle, and after all they contain nothing worth transmitting to Congress. To copy them would be an immense labor to no purpose, and to send the originals at once would expose them to loss.

Several propositions were made to me which I could not agree to, and several were made on my part which could not be admitted by the States. The final result contained in the treaty is as near the spirit of my instructions as I could obtain, and I think it is in nothing materially variant from them. The lords the deputies proposed to me to make the convention a part of the treaty. My answer was that I thought the convention, which is nearly conformable with that lately made with France, would be advantageous on both sides, but as I had no special instructions concerning it, and as Congress might have objections that I could not foresee, it would be more agreeable to have the convention separate, so that Congress, if they should find any difficulty, might ratify the treaty without it. This was accordingly agreed to. It seemed at first to be insisted on that we should be confined to the Dutch ports in Europe, but my friend, M. Van Berckel, and the merchants of Amsterdam came in aid of me in convincing all that it was their interest to treat us upon the footing *gentis amicissimæ* in all parts of the world.

Friesland proposed that a right should be stipulated for the subjects of this republic to purchase lands in any of our States, but such reasons were urged as convinced them that this was too extensive an object for me to agree to: 1st. It was not even stipulated for France. 2dly. If it should be now introduced into this treaty all other nations would expect the same, and although at present it might not be impolitic to admit this, yet nobody would think it wise to bind ourselves to it forever. 3dly. What rendered all other considerations unnecessary was that Congress had not authority to do this, it being a matter of the interior policy of the separate States. This was given up. A more extensive liberty of engaging seamen in this country was a favorite object, but it could not be obtained. The *refraction*, as they call it, upon tobacco in the weigh houses, is a thing that enters so deeply into their commercial policy that I could not obtain anything more particular or more explicit than what is found in the treaty. Upon the whole, I think the treaty is conformable to the principles of perfect reciprocity, and contains nothing that can possibly be hurtful to America, or offensive to our allies, or to any nation, except Great Britain, to whom it is, indeed, without a speedy peace a mortal blow.



The rights of France and Spain are sufficiently secured by the twenty-second article; although it is not in the very words of the project transmitted me by Congress, it is the same in substance and effect. The Duc de la Vauguyon was very well contented with it, and the States were so jealous of unforeseen consequences from the words of the article as sent me by Congress, and as first proposed by me, that I saw it would delay the conclusion without end. After several conferences, and many proposals, we finally agreed upon the article as it stands, to the satisfaction of all parties.

The clause reserving to the Dutch their rights in the East and West Indies is unnecessary, and I was averse to it as implying a jealousy of us. But as it implies, too, a compliment to our power and importance, was much insisted on, and amounted to no more than we should have been bound to without it, I withdrew my objection.

The proviso of conforming to the laws of the country respecting the external show of public worship, I wished to have excluded; because I am an enemy to every appearance of restraint in a matter so delicate and sacred as the liberty of conscience; but the laws here do not permit Roman Catholics to have steeples to their churches, and these laws could not be altered. I shall be impatient to receive the ratification of Congress, which I hope may be transmitted within the time limited.\*

I have the honor to be, &c.,

JOHN ADAMS.

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**Articles agreed on between the American and British Commissioners.†**

These articles were sent to England for the king's consideration. See Franklin to Livingston, December 5, 1782, *infra*.

OCTOBER 8, 1782.

Articles agreed upon by and between Richard Oswald, esq., the commissioner of his Britannic majesty for treating of peace with the commissioners of the United States of America, on the behalf of his said majesty on the one part, and Benjamin Franklin and John Jay, of the commissioners of the said States for treating of peace with the commissioner of his said majesty on their behalf, on the other part, to be inserted in and to constitute the treaty of peace proposed to be concluded between the crown of Great Britain and the said United States; but which treaty is not to be concluded until his Britannic majesty shall have agreed to the terms of peace between France and Britain, proposed or accepted by his most Christian majesty, and shall be ready to conclude with him such treaty accordingly, it be-

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\* The treaty mentioned in this letter, and the convention respecting vessels recaptured, were ratified by Congress on the 23d of January, 1783. The treaty and convention are printed at large, together with the form of ratification, in the Journal of Congress under this date.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 451.

ing the duty and intention of the United States not to desert their ally, but faithfully and in all things to abide by and fulfill their engagements with his most Christian majesty.

Whereas reciprocal advantages and mutual convenience are found by experience to form the only permanent foundation of peace and friendship between states, it is agreed to frame the articles of the proposed treaty on such principles of liberal equality and reciprocity as that, partial advantages (those seeds of discord) being excluded, such a beneficial and satisfactory intercourse between the two countries may be established, as to promise and secure to both the blessings of perpetual peace and harmony.

1st. His Britannic majesty acknowledges the United States, viz, New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to be free, sovereign, and independent States; that he treats with them as such; and for himself, his heirs, and successors, relinquishes all claims to the government, propriety, and territorial rights of the same, and every part thereof; and that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared that the following are and shall remain to be their boundaries, viz:

The said States are bounded north by a line drawn from the northwest angle of Nova Scotia, along the highlands which divide those rivers which empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northermost head of Connecticut River; thence down along the middle of that river to the 45th degree of north latitude, and thence due west in the latitude 45 degrees north from the equator, to the northwesternmost side of the river St. Lawrence or Cadaraqui; thence straight to the south end of the Lake Nipissing, and thence straight to the source of the river Mississippi; west by a line to be drawn along the middle of the river Mississippi, from its source to where the said line shall intersect the 31st degree of north latitude; south by a line to be drawn due east from the termination of the line last mentioned, in the latitude of 31 degrees north of the equator, to the middle of the river Apalachicola or Catahouchi; thence along the middle thereof to its junction with the Flint River; thence straight to the head of St. Mary's River; thence down along the middle of St. Mary's River to the Atlantic Ocean, and east by a line to be drawn along the middle of St. John's River from its source to its mouth in the bay of Fundy; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other shall respectively touch the Bay of Fundy and the Atlantic Ocean.

2dly. From and immediately after the conclusion of the proposed treaty, there shall be a firm and perpetual peace between his Britannic majesty and the United States and between the subjects of the one and the citizens of the other; wherefore all hostilities, both by sea and land, shall then immediately cease; all prisoners on both sides shall be set at liberty, and his Britannic majesty shall forthwith, and without causing any distinction, withdraw all his armies, garrisons, and fleets from the said United States, and from every post, place, and harbor within the same, leaving in all fortifications the American artillery that may be therein; and shall also order and cause all archives, records, deeds, and papers belonging to either of the said States or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper States and persons to whom they belong.

3dly. That the subjects of his Britannic majesty and people of the said United States shall continue to enjoy unmolested the right to take fish of every kind on the banks of Newfoundland and other places where the inhabitants of both countries used formerly, to wit, before the last war between France and Britain, to fish and also to dry and cure the same at the accustomed places, whether belonging to his said majesty or to the United States; and his Britannic majesty and the said United States will extend equal privileges and hospitality to each other's fishermen as to their own.

4thly. That the navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open, and that both there and in all rivers, harbors, lakes, ports, and places belonging to his Britannic majesty or to the United States, or in any part of the world, the merchants and merchant ships of the one and the other shall be received, treated, and protected like the merchants and merchant ships of the sovereign of the country. That is to say, the British merchants and merchant ships, on the one hand, shall enjoy in the United States and in all places belonging to them the same protection and commercial privileges and be liable only to the same charges and duties as their own merchants and merchant ships; and, on the other hand, the merchants and merchant ships of the United States shall enjoy in all places belonging to his Britannic majesty the same protection and commercial privileges and be liable only to the same charges and duties of British merchants and merchant ships, saving always to the chartered trading companies of Great Britain such exclusive use and trade and their respective posts and establishments as neither the subjects of Great Britain, nor any of the more favored nations participate in.

PARIS, *October 8, 1782.*

A true copy of which has been agreed on between the American commissioners and me, to be submitted to his majesty's consideration.

RICHARD OSWALD.

Alteration to be made in the treaty respecting the boundaries of Nova Scotia, viz: East, the true line between which and the United States shall be settled by commissioners as soon as conveniently may be after the war.

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J. Adams to Dana.\*

OCTOBER 10, 1782.

DEAR SIR: I have received your favor of September 5-16; if my son can find a good opportunity to come, I should be glad to have him; but I should not be willing to trust him with every companion. He is too young for such a journey, unless in company with a prudent man.

*Mr. 18 has a letter from Mr. 19 of 28th ultimo, informing him that yesterday Mr. Oswald received a commission to treat of peace with the commissioners of the United States of America. This is communicated as a secret; therefore no notice is to be taken of 18 or 19 in mentioning it. 19 presses 18 to come to him, and he thinks of going in ten days.*

On the 8th the treaty of commerce and convention concerning recaptures was signed.

You want to know whether the categoric answer was demanded against advice. No. It was advised by several members of the States and by the ambassador; it was not done, neither, until we had written to the Count de Vergennes and obtained his opinion; that he did not see any inconvenience in simply going to the States and asking them what answer I should transmit to Congress. However, when he came to read the words demand, requisition, and categoric answer, he was shocked, as the ambassador himself told me. These words were my own, but I did not venture them without the advice of some good friends in the States; and, to all appearances, these words contained the electric fluid that produced the shock. I was, however, at that time so well known that it was presumed I should make the demand, although the advice had been against it, as I certainly should have done, supported as I was by the opinion of the members of the States. Take the merit and glory of a measure you cannot prevent, or at least a share in it, although you dislike it, is a maxim with most politicians, and, under certain limitations, it is a lawful maxim. We must be very ignorant of our friends not to know that it is one of their rules; and there are many occasions upon which we, if at liberty, might take advantage of it, by taking upon ourselves measures which they cannot openly oppose, but must appear to favor.

Yours, &c.,

JOHN ADAMS.

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\* 7 J. Adams' Works, 649.

J. Adams to Livingston.\*

THE HAGUE, *October 12, 1782.*

SIR: Yesterday afternoon M. Van der Burg Van Spieringshoek, the agent of their high mightinesses, brought me the enclosed resolution relative to a vessel of M. Dubbledemuts. I promised to enclose it to Congress. I would have it translated here, but I have not time. I presume Congress has, or will have, an interpreter for the Low Dutch.

It is much to be desired that Congress would take some measures to inquire into this matter. The cause for my being so pressed for time is that I am preparing to set off for Paris, and have not only all my despatches to make up, to send the treaty, but have obligations to sign respecting the loan, that so essential a business may not stand still in my absence.

Mr. Jay writes me that Mr. Oswald has received a commission to treat of peace with the commissioners of the United States of America. I shall set off for Paris next week.

I have the honor to be, &c.,

JOHN ADAMS.

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 Jay to Livingston.†
PARIS, *October 13, 1782.*

DEAR SIR: I hope my letter to you of the 18th of September, of which I also sent a duplicate, has come safe to hand, for it contained important matter, viz, a copy of a letter from M. Marbois to the Count de Vergennes, against our sharing in the fishery.

This court advised and persuaded us to treat with Mr. Oswald under his first commission. I positively refused.

Count d'Aranda will not or can not exchange powers with me, and yet wants me to treat with him; this court would have me do it, but I decline it.

I would give you details, but must not until I have an American to carry my letters from hence.

Mr. Oswald is well disposed. You shall never see my name to a bad peace, nor to one that does not secure the fishery.

I have received many long letters from you, which I am as busy in deciphering as my health will permit.

M. de la Fayette is very desirous to give us his aid; but, as we have a competent number of commissioners, it would not be necessary to give him that trouble.

I am, dear sir, with great esteem and regard, your most obedient servant,

JOHN JAY.

P. S.—General du Portail is to be the bearer of this. I believe he goes by order of the court.

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 \* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 673.

† MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 462.

Jay to Gouverneur Morris.\*

PARIS, *October 13, 1782.*

DEAR MORRIS: I have received your *festina lente* letter, but wish it had been at least partly in cipher; you need not be informed of my reasons for the wish, as by this time you must know that seals are, on this side of the water, rather matters of decoration than of use. It gave me nevertheless great pleasure to receive that letter, it being the first from you that had reached me, the Lord knows when. I find you are industrious, and of consequence useful, so much the better for yourself, for the public, and for our friend Morris, whom I consider as the pillar of American credit.

The King of Great Britain, by letters patent under the great seal, has authorized Mr. Oswald to treat with the commissioners of the *United States of America*. His first commission literally pursued the enabling act, and the authority it gave him was expressed in the very terms of that act, viz, to treat with the colonies, and with any or either of them, and any part of them, and with any description of men in them, and with any person whatsoever, of and concerning peace, &c.

Had I not violated the instructions of Congress, their dignity would have been in the dust; for the French minister even took pains, not only to persuade us to treat under that commission, but to prevent the second, by telling Fitzherbert that the first was sufficient. I told the minister that we neither could nor would treat with any nation in the world on any other than on an equal footing.

We may and we may not have a peace this winter. Act as if the war would certainly continue; keep proper garrisons in your strong posts; and preserve your army sufficiently numerous, and well appointed, until every idea of hostility and surprise shall have completely vanished.

I could write you a volume, but my health admits only of short intervals of application.

Present my best wishes to Mr. and Mrs. Morris and such other of our friends as may ask how we do.

I am, &c.,

JOHN JAY.

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Florida Blanca to Carmichael.†

[Translation.]

ST. LORENZO, *October 14, 1782.*

SIR: The king has resolved that the English frigate the *Lord Howe* carried into Cadiz by some Americans, and part of the equipage be publicly sold, ship and cargo, and that the value of both be deposited at the order of Congress and yourself. I communicate this to you, that being thoroughly informed, you may take such measures as you think

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\*2 Jay's Life, 105.

† 5 Sparks' Dip. Rev. Corr., 104, with verbal changes.



proper, and determine immediately what is to be done with the American and English seamen on board the said vessel. I wish for occasions to serve you, and that God may preserve you many years.

COUNT DE FLORIDA BLANCA.

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Franklin to Livingston.\*

PASSY, *October* 14, 1782.

SIR: I have but just received information of this opportunity, and have only time allowed to write a few lines.

In my last, of the 26th past, I mentioned that the negociation for peace had been obstructed by the want of due form in the English commissions appointing their plenipotentiaries. In that for treating with us the mentioning our States by their public name had been avoided, which we objected to; another is come, of which I send a copy enclosed. We have now made several preliminary propositions, which the English minister, Mr. Oswald, has approved and sent to his court. He thinks they will be approved there, but I have some doubts. In a few days, however, the answer expected will determine. By the first of these articles the King of Great Britain renounces for himself and successors all claim and pretension to dominion or territory within the thirteen United States; and the boundaries are described as in our instructions, except that the line between Nova Scotia and New England is to be settled by commissioners after peace. By another article the fishery in the American seas is to be freely exercised by the Americans wherever they might formerly exercise it while united with Great Britain. By another the citizens and subjects of each nation are to enjoy the same protection and privileges in each other's ports and countries, respecting commerce, duties, &c., that are enjoyed by native subjects. The articles are drawn up very fully by Mr. Jay, who, I suppose, sends you a copy; if not, it will go by the next opportunity. If these articles are agreed to I apprehend little difficulty in the rest. Something has been mentioned about the refugees and English debts, but not insisted on, as we declared at once that whatever confiscations had been made in America, being in virtue of the laws of particular States, the Congress had no authority to repeal those laws, and therefore could give us none to stipulate for such repeal.

I have been honored with the receipt of your letters, Nos. 14 and 15. I have also received two letters from Mr. Lewis R. Morris, both dated the 6th of July, and one dated the 10th of August enclosing bills for 68,290, 71,380, and 9,756 livres; in all, 149,426 livres; being intended for the payment of ministers' salaries for the two first quarters of this year. But as these bills came so late that all those salaries were already paid, I shall make no use of the bills, but lay them by till further orders;

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 382; 9 Sparks' Franklin, 417; 8 Bigelow's Franklin, 195.

and the salaries of different ministers not having all the same times of falling due, as they had different commencements, I purpose to get all their accounts settled and reduced to the same period and send you the state of them, that you may be clear in future orders. I see in one of the estimates sent me that a quarter's salary of a minister is reckoned at 14,513 livres, and the other is reckoned 16,667 livres, and the bill for 9,756\* livres is mentioned as intended to pay a balance due on the remittance of the 68,290 livres. Being unacquainted with the state of your exchange, I do not well comprehend this, and therefore leave the whole for the present, as I have said above. Permit me only to hint for your consideration whether it may not be well hereafter to omit mention of sterling in our appointments, since we have severed from the country to which that denomination of money is peculiar; and also to order the payment of your ministers in such a manner that they may know exactly what they are to receive, and not be subject to the fluctuations of exchange. If it is that which occasions the difference between 14,583 for the first quarter and the 16,667 for the second, it is considerable. I think we have no right to any advantage by the exchange, nor should we be liable to any loss from it. Hitherto we have taken 15,000 for a quarter (subject, however, to the allowance or disallowance of Congress), which is lower than the medium between those two extremes.

The different accounts given of Lord Shelburne's character, with respect to sincerity, induced the ministry here to send over M. de Rayneval, secretary to the council, to converse with him and endeavor to form by that means a more perfect judgment of what was to be expected from the negotiations. He was five or six days in England, saw all the ministers, and returned quite satisfied that they are sincerely desirous of peace, so that the negotiations now go on with some prospect of success. But the court and people of England are very changeable. A little turn of fortune in their favor sometimes turns their heads; and I shall not think a speedy peace to be depended on till I see the treaties signed. I am obliged to finish.

With great esteem, &c.,

B. FRANKLIN.

Dana to Livingston.†

No. 9.

ST. PETERSBURGH, *October 14, 1782.*

SIR: I should have done myself the honor of writing to you before this day, but I have been so much indisposed ever since the date of my last, that I have been unable to do it. Notwithstanding the difficulties

\* This was not merely to pay a balance, but an excess on account of contingencies. (Note by Mr. Livingston.)

† MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 644.

I have had upon my mind, and have expressed in my letters of September 29 and October 1, I have hazarded writing to you in your cipher, to communicate the matter contained in my last. It may be proper to acquaint you that the reasons urged in support of that project were in writing, and annexed to it; that I read the whole carefully, and immediately upon my return home reduced it to writing from my memory, more at large than I have given it to you, having in my communication expressed myself in as few words as possible, preserving the substance only, to save unnecessary trouble in ciphering and deciphering. This is what is alluded to where it is said, "this rivalry was maintained by both friends and foes, though with very different views."

As you have the matter now before you, if I did not feel myself under any restraint it would be needless for me to trouble you with any particular observations of my own upon it, because you will at once discern its effects upon our present interests here, as well as upon our commerce and navigation in future should the scheme be carried into execution, of which I believe there is now no probability, the plan mentioned in my letter of March 30, particularly that part of it contained in the clause beginning "perhaps solidly," and ending with "protection," seems to be opening upon us. I have never entertained an idea that her imperial majesty, or any other of the neutral powers, would take a part in the present war. The probability of her doing so is, if possible, much weaker than before.

Her attention will be turned to another quarter, and we may see a war break out against the Turks, in which the emperor may be concerned likewise. Many movements tend to this end. An army of a hundred and sixty thousand Russians are ordered to assemble at Kersant, a new fortified village in New Russia, situated on the western side of the Dneiper, or Borysthenes, at about fourteen leagues from Oczakow, a well fortified town of the Turks, famous in the war of 1736, situated at the mouth of the same river, and opposite to Kinburn, a port which Russia obtained at the last peace, but which is exposed to the sudden attacks of the Turks from Oczakow. Eighteen regiments, amounting to about twenty-five thousand men, have already arrived at Kersant, and the residue, or as great a part as can be collected, will be at that rendezvous in March next. The restoration of the deposed Khan of the Crimea is the declared object of this great force; but I am told that revolution has been effected by the intrigues of the court of St. Petersburg, to raise a pretext for this movement, and to cover the real object in view; and that the campaign next year will open with the siege of Oczakow. I pretend not to be certain about this particular information, but I give it to you as what appears to me not to be improbable.

The Russian ministers are in general Anti-Gallicans, and have, since the exit of Count Panin, sought to divide or lessen the enemies of Great Britain. Hence the most extraordinary proceedings to bring, or rather

to drive, the United Provinces into a separate peace with Great Britain (which have not yet ceased), and hence all the patient acquiescence in her attempt to make a particular peace with the United States, though repugnant to the propositions of the mediating courts. I believe they would have been well pleased, not only that their partial mediation between Holland and Great Britain had succeeded, but that the United States, as an independent nation, had made their own peace with Great Britain, and left her to contend with the house of Bourbon alone. From this general sketch of their system, you may be enabled to account for many appearances.

I have the honor to be, &c.,

FRANCIS DANA.

*Lafayette to Washington.\**

PARIS, *October 14, 1782.*

MY DEAR GENERAL: Since the time of Col. Gimat's arrival not a line from you has come to my hands, which misfortune I have much lamented, and I do assure you, my dear General, that when I have not the happiness to be with you it is necessary for me to receive letters from you.

This will be delivered by General Duportail and Colonel Gouvion, who are returning to America. I wish I could do the same, but you must by this time know that I am kept in this country at the request of the American plenipotentiaries and with a view to be serviceable to our cause, which with me will ever be the first object. Public intelligence will be given to you by General Duportail. Those of a more secret nature I have communicated to the Secretary for Foreign Affairs, whom I have requested to send the letter to your excellency. You will be able to form your own opinion upon the situation of affairs, but though the forwardness of affairs do not permit me (consistent with the motives I have explained to you) to depart for the present from this country, yet it is my private opinion that a success is necessary before the general treaty can come to a conclusion.

I have requested Colonel Gouvion to tell you that it is better not to write about my plans, in case of peace, and lest it should give way to ideas in the West Indies. The last I consider as the only way to help your views, and as we must, if the short road will not do, take the longer one to arrive at the same end, I hope your excellency will approve of the measure. In the former case my former letters have acquainted you what I thought I had better do, which I hope will also meet your approbation.

Madame de la Fayette begs her most respectful and affectionate sentiments to be presented to you and to Mrs. Washington. She has

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\* 2 La Fayette Memoirs, 35.

borne an infant at seven months, who has recently come to the world at this early period. She proved to be a daughter, and however delicate, will, I hope, be well brought up. I took the liberty to call her by the name of Virginia.\*

Had not Count de Grasse been so unfortunate, my voyage would not have been so unsuccessful. Now, I want to find one means, either in peace or war, to retrieve a part of those advantages which I hoped my presence at this court might have produced. M. de Vaudreuil will be of some assistance to the trade. Perhaps he may be able to do something against Penobscot. But unless he had entered the harbor of New York, which, I see, has not been done, nothing can be performed by him upon an important scale.

My next letter, my dear General, will better inform you with respect to myself. Should George have a mind to see the country I should be extremely happy, and will be as careful of him as of my own son.

I beg, my dear General, you will present my best respects to Mrs. Washington, and affectionate compliments to the family. I hope, my dear General, that my conduct, actuated as it is by principles of public and American utility, will receive that approbation from you which I prefer to that of the rest of the world.

Adieu, my dear General; let me hear from you, and be assured that you can never be so tenderly loved, so highly respected, as by, &c.

Dana to J. Adams.†

[ Secret and confidential. ]

OCTOBER 15, 1782.

MY DEAR SIR: Soon after my arrival here I intimated to you that I had discovered something, which I thought a clue to account for the advice given me by a certain person, and which you and I then were of opinion was calculated to throw an obstruction in my way, and of course that I ought not to follow it. I told you I would communicate it to you by the first good opportunity. None has offered until now. Here, then, you have it. In the project of a treaty of commerce, which France had proposed to Russia, there is an article to this effect, when the subjects of France shall carry in their own vessels, goods, wares, or merchandises of the growth, produce, or manufacture of France, into the dominions of Russia, and shall receive in exchange for them goods, wares, and merchandises of the growth, production, or manufacture of Russia, that in such cases there shall be a drawback of the duties, both of importation and exportation, paid by the subjects of France upon all such articles imported or received in exchange by them as aforesaid.

Now, in order to induce Russia to grant this most advantageous

\* Madame Louis de Lasteyrie.

† 7 J. Adams' Works, 650.

privilege to France, France alleges that it will be for the interest of Russia to do it, because France will have a demand for greater quantities of the commodities of Russia, which she will nevertheless not be under the necessity of purchasing of Russia *after the war*, for these reasons, that she can then obtain the same from America, and although perhaps not at so cheap a rate, yet it will be for her interest, *if Russia shall refuse to grant this privilege*, to pay America from 15 to 20 per cent. more for the same articles, as by taking those articles from America, France would enable her to take off a greater quantity of the commodities of France, and the more easily to discharge the debts she may contract for them in France.

The foregoing project, and the reasons urged in support of it, were somewhat more detailed than I have given them to you above. As I could not obtain a copy of them, I read them over with care, and in the time of it reduced them to writing from my memory. The above is a copy of that memorandum, and I believe I have not made any material mistake in it. Hemp, the article of which Russia is most jealous of a rivalry, is particularly mentioned by France. Thus I found both friends and foes working against us here for their own private purposes, if to support and maintain a rivalry between the two countries can be said to be working against our interests. However different their views may be the effect is the same, and equally prejudicial to us, let it proceed from whom it may, and this junction in their systems rendered my task of clearing away such errors much more difficult. The immense profit which France would derive from such a privilege must have made her consider it as an object of great consequence to herself. She could not therefore wish to open any communication which might possibly bring an *eclaircissement* that would render her project abortive. Is it unnatural to suppose that the pendency of such a negotiation might have been a sufficient ground for the advice above alluded to or for others to prevent my forming any connections with persons in government here? I view it, indeed, in this light, but perhaps I may view it with too suspicious an eye. It has had no tendency to convince me that it is an erroneous principle in our policy, that we ought to take care of our own interests in foreign courts. This is in some places an unfashionable if not an unpardonable sentiment. Should you think proper to write me upon this subject, I must beg of you to do it in so disguised a manner as can not be penetrated. For I have good reasons to apprehend that it is next to impossible to avoid a detection of my correspondence through the posts. I this day received a second letter, which had been opened at the office from Paris. They will open every letter brought by their post, to discover any correspondence they wish to discover, without the least hesitation. For this reason, I desire you would never send me a copy of any despatches you may know I have received, but instead of it to give me notice when you receive any such, and I will write you what to do with them. By this same opportunity you will receive a let-



ter for Mr. Livingston. Please to open it, read it, and beg Mr. T., whom we may safely confide in, to be so kind as to make out two or three copies of it, and to forward them by careful hands. I am unable to do this myself, at present, and I dare not send a letter of that sort by the post. Desire Mr. T. not to put up either of them with any of your or any other letters, but to send them unconnected with anything which in case of capture might discover from whence they came. You will pardon the trouble I give you in these matters, and be assured I shall never be unmindful of the obligations I am under to you. Since the above one of my bankers has called upon me, and tells me all my letters, which come under cover to them *directly*, will certainly be opened at the office, that it will be necessary, therefore, to send them all by the way of Riga.

I am, my dear sir, your much obliged friend, and obedient humble servant,

FRANCIS DANA.\*

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Franklin to J. Adams.†

PASSY, *October 15, 1782.*

SIR: A long and painful illness has prevented my corresponding with your excellency regularly.

Mr. Jay has, I believe, acquainted you with the obstructions our peace negotiations have met with, and that they are at length removed. By the next courier expected from London we may be able perhaps to form some judgment of the probability of success so far as relates to our part of the peace. How likely the other powers are to settle their pretensions I cannot yet learn. In the meantime America is gradually growing more easy by the enemy's evacuation of their posts, as you will see by some intelligence I enclose.

With great respect, I have the honor to be, &c.,

B. FRANKLIN.

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Morris to Washington.‡

OFFICE OF FINANCE, *October 15, 1782.*

SIR: I have received your letters of the 2d, 3d, and 7th instant. There is no man in America more heartily disposed than I am to remove from the army and from all others who have claims on the public, every just ground of complaint. But with the means in my power, how is it possible? I have been obliged to submit to cancelling one contract and forming another at one-third advance on the former price for the want of a mere trifle compared with what we had a right to

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\* As to the injustice of the suspicions expressed in this letter, see Introduction, §169.

† 2 Sparks' Dip. Rev. Corr., 384; 9 Sparks' Franklin, 420: 8 Bigelow's Franklin, 199.

‡ 6 Sparks' Dip. Rev. Corr., 552.

expect. I am in advance on credit to an amount which you can scarcely form an idea of, although I have declined every expenditure not indispensable.

That part of the late arrival of clothing which is unfit for soldiers' use is now selling to pay debts contracted by the clothing department during my administration. Among these debts are twelve thousand dollars for needle work done by people in extreme indigence. The clothing which arrived fit for the officers' wear was inadequate to the purpose of clothing them all. The division must have created confusion and raised disputes. If this had not been the case, still it would have been liable to the inconveniences attending partial payments, and we should have been justly reproached for having broken repeated promises, that no such payments should take place. Congress have done all in their power to procure money for the army. My own efforts I shall not dwell upon. If money is obtained, that will produce satisfaction; I am sure that nothing else will.

My credit has already been on the brink of ruin. If that goes, all is gone; but if it can be preserved, there will, in the last necessity, be some chance of making advances on credit to the army, as well as to others. Thus, sir, you will see that I look forward as far as my distressed situation will admit; but after all, if the States can not be prevailed on to make greater exertions it is difficult to see where the thing is to terminate.

I have this day commissioned Major Turner as marine commissary of prisoners, and I trust he will soon be in capacity to prevent your excellency from having any further trouble on that subject.

I am, sir, with sincere respect and esteem, &c.,

ROBERT MORRIS.

**Luzerne to the President of Congress.\***

[Translation.]

PHILADELPHIA, *October 16, 1782.*

SIR: The undersigned, minister plenipotentiary of France, requests Congress to be pleased to appoint a committee, to which he proposes to communicate some measures which are provisional, and which are to remain secret till the moment of their execution.

LUZERNE.

**Morris to General Greene.†**

OFFICE OF FINANCE, *October 17, 1782.*

DEAR SIR: I have received your letter of the 1st of September, for which I pray you to accept my acknowledgments. Amid the many distresses and cares which await every step of my administration, it is

\* 6 Sparks' Dip. Rev. Corr., 92.

† 6 Sparks' Dip. Rev. Corr., 555.

a great relief and consolation to have met with the support of those who command (and what is more, who worthily command) the armies of the United States. I have felt, my dear sir, your efforts to support my measures, and I know that they have been useful. I wish it were in my power to give to you and to your brave army that full relief which their conduct, their sufferings, and above all their patience, have merited.

I had intended to supply their subsistence, and the little contracts in Virginia, from the quota of that State, as the money there collected would have been nearest the spot where it was to be applied. But I need not tell you how deficient that State has been. The consequence is, that I must endeavor to supply the deficiency from other sources, which I am now doing; but in the precarious state of things at present, there is no reliance to be placed on any measure. I suppose, however, that the evacuation of Carolina will enable you to move northward with a considerable part of your army; these will, I hope, meet the relief intended. I shall direct a statement of the whole to be made out by the paymaster-general, and do whatever may lay in my power; but as to pay, my inviolable determination is, that the whole army shall equally share whatever is disposed of in that way.

The disposition of the State of North Carolina to pay in specie, is far from being peculiar to that State. Attempts of the same kind have been made by others; and they have invariably been opposed and shall be. There is, however, a distinction to be taken. You recollect that Congress called for large quotas of specie. I am perfectly persuaded that no State has fully obeyed that call, but many, and indeed almost all, aver that they have overpaid. The last requisitions have been for money, and if I had not by the publications prevented such assertions, it would not be surprising that they should be repeated even as to the money quotas. Now, if the State of North Carolina are desirous of paying in specie on the requisitions of specie, I shall not have the least objection; but on the requisitions for the service of the current year, I will receive money alone. I make this distinction in such clear and peremptory terms, to avoid all further cavils on the subject. I see that it has already been drawn into some length, and must, therefore, be finally terminated. Besides, under the present appearances, there can be little doubt that specie in North Carolina will be almost as useless as if they were in Otaheite. A copy of my letter to Governor Martin on this subject shall be enclosed to you.

You have in several of your letters made very just observations on the business of my department, and such as convince me you have turned your attention to it. I have therefore taken the liberty to enclose to you a copy of a letter to Congress on the subject of a mint, of one on the establishing public credit by funding our debts, and of a third on the estimates for the ensuing year.

As there is a report that the enemy got several letters intended for

you, it is possible that some or other of those may be among the number.

I pray you to believe me, with very sincere esteem, your most obedient servant,

ROBERT MORRIS.

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Washington to Jay.\*

VERPLANCK'S POINT (ON THE HUDSON), *October 18, 1782.*

DEAR SIR: Not having received from your excellency, during the last winter or summer, the acknowledgment of any letter, except of my public despatches of October last, I apprehend that some private letters, which I had the pleasure of addressing to you since that time, have miscarried. I resume my pen, therefore, to repeat the thanks which were contained in one of them, for the wine you had the goodness to present me with; and to assure you that I entertain the friendly sentiments towards you which I have ever experienced since our first acquaintance.

We have now passed another campaign, and no very important occurrence has intervened on this side the Atlantic. The evacuation of Charleston was considered by General Green, in his last letters to me, as an event that would certainly take place, and from other circumstances I am induced to believe it is effected by this time. Part of the garrison (the British troops,) will probably go to the West Indies, and the German to the northward. Admiral Pigot is now in New York harbor with twenty-six heavy ships, ready wooded and watered for sea, but the present circumstances, though somewhat equivocal, do not indicate that New York will be abandoned this year, notwithstanding there have been many reports and conjectures of the kind some weeks ago.

The Marquis De Vaudreuil is in Boston Harbor with twelve sail of the line (three excepted, which are at Portsmouth), having unfortunately stranded and lost the *Magnifique* on entering that bay. But Congress have presented to his most Christian majesty the ship *America*, of 74 guns, built at Portsmouth, and now nearly fit for sea.

The changes in the British ministry, and the fluctuation of their councils, are the subjects of universal speculation. We wait with impatience to hear the result of the negotiations, and not being very sanguine in our expectations, endeavor to hold ourselves prepared for every contingency. I am certain it will afford you pleasure to know that our army is better organized, disciplined, and clothed, than it has been at any period since the commencement of the war. This you may be assured is the fact.

I shall always be happy to hear from you, especially at the present important crisis of European politics, and beg you will be persuaded

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\* 2 Jay's Life, 106.

that with the warmest wishes and most respectful compliments to Mrs. Jay, I am, with sentiments of the highest regard and esteem, etc.

GEORGE WASHINGTON.

France does not object to U. S. getting all they can, though she did in July, 1779, object to U. S. asking more than they could get.

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Conferences of M. de Rayneval with Lord Shelburne.\*

[Extracts.]

OCTOBER, 1782.

After those digressions, Lord Shelburne returned to our text. He is alarmed by the cession of Gibraltar. He does not see how they will dare to propose it to the nation. To cede Gibraltar, to liberate Dunkirk, to permit France to fortify Chandernagar, and to have a military establishment near New Foundland, to abandon Senegal, etc., all that, he says, presents a picture very alarming to an English minister. If the *uti possidetis* is proposed, I will not propose it. I will do all that is in my power to promote peace; but I can promise nothing, nor even give any hope, on the article of Gibraltar. \* \* \*

Lord Shelburne, having begged me to call on him at half-past seven in the morning, I was there punctually. He told me that he desired to speak with me before going to the council; that since he had seen me he had received letters from the king that obliged him to ask me for some fresh explanations.

The interests of Spain have been strongly agitated. Lord Shelburne dwelt anxiously on Gibraltar; he tried to prove to me, with warmth, that the cession of it was impossible; he spoke of the resistance that that article would meet with in the council; that Lord Keppel had told him frankly, when he had mentioned it, that if they spoke of ceding Gibraltar he would take his hat and leave.

I answered that the first lord of the admiralty had only viewed it as a sailor, that a statesman ought to consider the object in question from another point of view; that, moreover, I could but respect the importance that the king of Spain attached to the possession of Gibraltar.

We then returned to the article of Holland. Lord Shelburne showed me the list of all that had been taken from that republic. He then repeated to me that Fort Trincomalé (on the coast of Ceylon) suited England, and that her intencion was to keep it.

Then came at last the turn of America. Lord Shelburne foresaw that he would have much trouble with America, as much in respect to the boundaries as to the fisheries of New Foundland, but he hopes that his Christian majesty will not sustain them in this claim. I answered that I did not doubt but that he would do everything in his power to restrain the Americans within the bounds of justice and reason, and Lord Shelburne having desired to know what I thought of their pretensions,

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\* Translated from 3, *Circumstances of the Peace*.

I answered that I was ignorant of those that concerned the fisheries, but that, such as they might be, it seemed to me there was a sure principle to follow in that matter; that fishing on the high seas is *res nullius*, and that the fishing off the coasts belonged by rights to the proprietors of the coasts, except in the case of limitations founded on conventions. As for the extent of the boundaries, I supposed that the Americans would take it according to their maps; that is to say, that they would wish to go from the ocean to the South Sea. Lord Shelburne treated the maps as nonsense, and the discussion did not go further because I wanted neither to sustain or dispute his position. I only said that the English ministry would find in the negotiations of 1754, relating to Ohio, the boundaries that England, then sovereign of the 13 United States, thought fit to assign them.

Lord Shelburne spoke a great deal of the American Revolution. He represented it as our work, and he dwelt on the enormous loss that had resulted from it to England. I answered that the American Revolution was the work only of the English ministers, and that it had rested with them whether the king would favor it or not, but that there was a principle sacred in politics that it was better to get ahead of others than to let them get ahead of you. I recalled all the facts that forced the king, against his inclination, to make use of that principle. Lord Shelburne did not contest those facts. He dwelt on the impolitic conduct of the ministers, and especially the imprudences and the insults of Lord Stormont. That subject took us back again to the principles and the character of the king. I will give an account subsequently of what was most particularly said in that relation.

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Washington to Morris.\*

HEADQUARTERS, *October 18, 1782.*

SIR: I take the liberty to enclose to your care a letter for the Chevalier de la Luzerne, on the subject of expense, which at his request I have incurred, for the purpose of forwarding intelligence of the movements of the enemy at New York to the Marquis de Vaudreuil.

If our circumstances would admit, I should be very glad that this expense should be defrayed by the United States; it is infinitely short of the debt which gratitude imposes on us. I submit therefore to your judgment, whether to deliver the enclosed or to send forward the money from your own funds, agreeably to the monthly estimate sent to the minister.

The chain of expresses was instituted about the middle of August, and will probably be continued till the sailing of the French fleet from Boston.

I am, &c.,

GEORGE WASHINGTON.

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\* 6 Sparks' Dip. Rev. Corr., 557.



## Morris to the President of Congress.\*

OFFICE OF FINANCE, *October 21, 1782.* •

SIR: The negligence of the several States in supplying the public treasury has at length brought on one evil which I had long apprehended and attempted (in vain) to guard against. Congress will recollect that I had contracted for the supplies of the garrison of West Point at nine pence halfpenny, and to the moving army at ten pence, Pennsylvania currency, per ration. The vicinity of the army to West Point induced the two companies of contractors to join themselves together, and thus they presented for payment a monthly account of from forty-five to sixty thousand dollars. I found myself incapable to supply the moneys required. The expectations I formed from the taxes proved extremely fallacious, and the reliance I made on a sale of bills failed with the failure of a demand for them, which was utterly unexpected, and arose from the appearances of peace. It is unnecessary to go into a detail of the expedients which I have been driven to; it is sufficient to say that they proved unequal to the object. Among other things I drew bills in anticipation of the taxes, but those taxes came in so slowly that they were of little use. The bills were drawn by me on Mr. Swanwick. The receivers were directed to receive them as cash (for payment of taxes) and remit them to the Treasury. When they came to the Treasury, Mr. Swanwick took them up, with the receipts given to him for so much money by those who originally received the bills, and thus time was gained for about six weeks or two months, and sometimes longer. It is not necessary to observe what is known to everybody, that although contrivances may be used to procrastinate a payment, it must at length come from some quarter or other. I exhausted all the expedients I could devise, but at last I became in arrears.

In consequence of this four of the contractors joined in a letter to me of the eleventh of September, of which the enclosed paper Number one is a copy. In this letter those parts which commanded my particular attention were first, the demand of two promises, one that they should be indemnified for all damages sustained from the public inability to perform their engagements, and the other that I should, on producing the monthly accounts, immediately pay one-half the amount in specie, and three times as much more in the notes above described. And, secondly, the declaration that unless those assurances were given by the first day of October, the supplies must cease. I had no prospect of being able to make this payment, and therefore that matter was out of the question; but even if I could have complied, the previous assurance of indemnification was what I would not give.

I had, on the tenth day of September, appointed Ezekiel Cornell, esqr., in pursuance of the act of the seventh of May last, to be inspector

\* MSS. Dep. of State.

for the main army; and therefore on the twentieth of September I enclosed a copy of the letter above mentioned in that of which the paper number two is a copy.

Although the letter of the eleventh of September was the first express declaration of the kind made by the contractors, yet I had long had reason to be convinced that if the supplies of cash from the Treasury should be for any considerable time suspended they would be unable to perform their stipulations, and it was very clear that the public could have no right (under such circumstances) to exact them. When I found, therefore, that I might be obliged to suspend the payment, it became necessary to look at and provide for the consequences. I enclose in the paper number three my communications on that subject to the General.

It happened that Messrs. Wadsworth and Carter (during their passage through this city from Virginia) mentioned their intention of bidding at the contracts I should offer for the year 1783 if they could accomplish certain previous arrangements. In the course of the conversation the several disputes which had arisen in the execution of the existing contracts were mentioned, and the inconveniences of a stipulation for monthly payments were naturally connected with some of those disputes. In discussing the advantages of longer credit, those gentlemen informed me that they intended to offer a credit of three months. I then took occasion to suggest the possibility that the animosities between the army and some of the contractors might lead to a dissolution of the contract and asked if they would take it up. They declared that in the last necessity they would, but that (as it would materially interfere with other views, and come too suddenly for the state of their funds) they wished to avoid it.

It was partly in consequence of this conversation that I wrote to Mr. Cornell the letter of which number four is a copy. I was influenced, in some degree, by the desire to obviate complaints which existed in the army and which (however trivial in themselves) yet, when combined with the want of pay and other circumstances, were not to be neglected. The General's want of confidence in Mr. Sands (one of the contractors) was an additional reason. But the letter itself contains that which decided my conduct, and it was with very great regret that I found myself impelled to such a decision. With the means of payment I could and would have compelled, and facilitated such performance of the contract as to remove the uneasiness of the army from that quarter. But without those means it was impossible. Besides, to have vacated the contract, from the default or misconduct of the contractors, would have involved no loss of credit. I saw, too, that any new contract must be more expensive, and yet not to have made any would have increased the mischief. These evil consequences were not the less sensible from a consideration that the moment had arrived when it was necessary to advertise for the new contracts; and they affected me still

more when I reflected that the loss of our credit (slender as it is) might have some influence on the negotiations for peace. In a word, sir, I felt the situation I was in and the determination I was driven to as the most distressing of an administration which, from the first moment of my acceptance, has not been without care and anxiety. I was reduced to a choice of difficulties, and I had no time to look for the means of extricating myself. I should, indeed, have directed Mr. Cornell to apply to the contractors for a longer credit, but to this there were many objections. I shall mention, however, only this one, that they had on various occasions taken pains to convince me, and did convince me, that they had not funds by any means sufficient for the purpose.

Number five contains the copy of Mr. Cornell's letter to me of the fifth of October, with its enclosures, and number six is an extract of Colonel Tilghman's letter of the same date, which is referred to in that of Mr. Cornell. My answer to the former (of the tenth) is contained in number seven. On the same day I wrote to the contractors a letter of which number eight is a copy. And this morning I received the contract executed by Mr. Carter, for himself and Mr. Wadsworth, of which the paper number nine is a copy. From this it will appear that the principal difference between the former and the present agreements are that the price of a ration is advanced to thirteen pence and credit given to the public for three months. If it be asked whether this be a good bargain, I answer at once that it is not. But I believe it to be the best which could be made. In a situation where only bad things can be done, to adopt the least pernicious is all which can be expected. I have, however, made use of this occasion to write a very pointed letter to the several States. I enclose a copy in the paper number ten, for the perusal of Congress, as it contains some observations on the business which are not repeated in this letter.

I have taken the liberty to trouble your excellency with this detail, that the United States (being fully informed) may give any directions they shall think proper.

I am, &c.,

ROBERT MORRIS.

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Morris to the Governors of the States.\*

OFFICE OF FINANCE, *October 21, 1782.*

SIR: I have on many occasions warned the States of the consequences which must follow from delays in supplying the treasury. The expense which attends such delays has frequently been mentioned, and instances daily occur to show how much the public burdens are increased by the want of a timely provision. To cite them all would be endless; but there is one of no inconsiderable magnitude, which I think it proper to

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\* 6 Sparks' Dip. Rev. Corr., 557.

state for your consideration. I had contracted on the part of the United States for the supply of rations to the main army at ten pence Pennsylvania currency, and to the garrison at West Point for nine pence half penny, and had agreed to pay at the commencement of each month for the issues of the preceding month.

These beneficial contracts have been dissolved by my inability to make punctual payments, which rendered the contractors incapable of performing their engagements. After many efforts on my part to supply the want of cash and on their part to substitute private credit and promises in place of ready money, they found it impracticable to proceed further on the moderate terms stated in the contract. Some of them told me so, and asked (what any persons in their situation would have asked) *the promise of indemnification for any damages they might sustain*, and a promise to pay at the end of each month one-half the amount of issues for the preceding month in coin and three times the remaining half in bills or notes receivable in taxes. They offered, if I would agree to these propositions, to go on and supply the army, but declared that, if I would not, they could no longer perform their engagements.

From this moment I was obliged to consider the contract as dissolved, because the dissolution of it appeared inevitable. I had already, by entering into the contract, promised on the part of the public a payment of the whole money due for the monthly issues. A new promise of the half would have given no additional security, and therefore I considered that stipulation as a request that I should, on my private and personal honor, assure them the public funds would enable me to make such payments. But of this I had no good prospect. The greater part of what little came in from taxes was the same kind of paper with that which they asked for, being what I had long before issued for other services. If indeed I could have trusted the assurances made to me, I might have given the assurances required by them; but experience had taught me caution, and the event has shown that if I had made the promise I should now have been chargeable with falsehood.

I think the contractors were prudent in requiring a promise of indemnification; their situation made it necessary; but it was a promise which I could not make; for, although I had reason to confide in their integrity and would have done it in my private capacity, yet as a public officer I could not; for there would have been no longer certainty of the extent to which their expenditures might have been carried, after it should have become a matter of indifference to their private interest what prices should be given for supplies.

Thus, sir, I found myself reduced to the alternative of making a new agreement for subsistence of the army and garrison or of leaving them to subsist themselves by military collection. The latter was to be avoided, if possible, for it would have been the most expensive mode

of obtaining supplies, not to mention other circumstances. The former, therefore, was to be adopted, and I accordingly gave instructions to Mr. Cornell, the inspector of the contracts, to consult with the commander-in-chief and take the necessary arrangements. It could not be expected that a contract dictated by necessity could be made on economical terms, and the inability to perform old engagements would necessarily influence the rate of new ones. Besides this, it was indispensably necessary to obtain a longer credit, because otherwise the burden would have been shifted, not removed, and the evil must have returned with equal speed and greater magnitude. Under such unfavorable circumstances it was necessary to pay for a credit in order to obtain it. A new contract is made, and the rations issued now are to be paid for three months hence, at the rate of thirteen pence, Pennsylvania currency, for a ration; which is an advance of about one-third upon the former price. The public, therefore, will pay for this advance of moneys, equal to feeding the army at the rate of thirty-three and one-third per cent. for three months; or, to make the matter more simple, they must pay for feeding them three months as much as would have fed them four months. Besides this, the public credit sustains material injury, and damages will be expected by the former contractors.

If, sir, it should be supposed that this is the only instance of loss sustained from the low state of the treasury, it is a great mistake. The attempt to establish economical systems is vain, unless we can support them by punctuality. Congress have placed me in a situation where I am exposed in the first instance to claims and demands, but these must come home to the several legislatures, and eventually to their constituents. My situation, therefore, makes it a duty to expostulate freely on the circumstances of my department. I am not to learn that free representations will sometimes give offence, and I know that those will be always most offended who are most in fault; but I make no apologies for what I have to say. It is necessary that the truth should be known to the people; to our enemies it is known already and has been for a long time. They hold up to contempt and derision the contrast between resolutions to carry on the war at every expense, and receipts of nothing in some States and very little in all of them put together. Those who court public favor at the expense of public good are very apt to inveigh against taxes and to flatter the indolent and avaricious with the idea that war can be carried on without labor or money. But it is time for the people to distinguish between their flatterers and their friends. Sooner or later the current expense must be paid, and that payment must come from the purses of individuals. If it were made in season it would be lighter by one-half than it is. Congress have called for a certain sum, and that sum paid punctually would have answered the purpose, but they cannot be reponsible for the consequences of delay. The expense will necessarily in such case exceed their calculations, and of course further sums must be required.

There are certain arguments, sir, which ought not to be used if it is possible to avoid them, but which every one invested with public authority should suggest to his own mind for the government of his own conduct. How long is a nation who will do nothing for itself to rely on the aid of others? In a war waged by one country to obtain revenue from another, what is to be expected in case of conquest? How long will one part of a community bear the burdens of the whole? How long will an army undergo want in the midst of plenty? How long will they endure misery without complaining, injustice without reproach, and wrongs without redress? These are questions which can not be solved by arithmetical calculation. The moral causes that may procrastinate or precipitate events are hidden from mortal view; but it is within the bounds of human knowledge to determine that all earthly things have some limits which it is imprudent to exceed, others which it is dangerous to exceed, and some which can never be exceeded. It is possible that we are near the close of this war, and perhaps we are only in the middle of it. But if the war should continue we have to blame ourselves; for, were those resources called into action which we really possess, the foreign enemies would soon lose all hope and abandon their enterprize. The greater injury, therefore, which we sustain is not from foreign, but from domestic enemies, from those who impede the necessary exertions. I have mentioned one among many instances to show the consequences of withholding the public revenue, and I take the liberty to observe that it would be more manly to declare at once for unlimited submission to British tyranny than to make specious declarations against it and yet take the direct road to bring it about by opposing the measures for our defence. That open declaration will doubtless be restrained by the fear of general resentment, but the other conduct is so much the more dangerous as it is calculated to close peoples' eyes while they approach the precipice, that they may be thrown down with greater ease and more absolute certainty.

I trust that your excellency and every other friend to our country will urge forward that speedy and effectual collection of taxes which can alone give vigor and stability to all our measures; and I risk nothing when I assert that the public service shall be performed (if the proper revenues be obtained) at less than half of what would otherwise be expended.

I am, sir, with perfect respect, &c.,

ROBERT MORRIS.

Townsend to Franklin.\*

WHITEHALL, *October 23, 1782.*

SIR: As Mr. Strachey is going from hence to Paris with some particulars for Mr. Oswald, which were not easily to be explained in writing, I take the liberty of introducing him to your acquaintance, though I

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\* 2 Sparks' Dip. Rev. Corr., 385.



am not sure that he is not a little known to you. The confidential situation in which he stands with me makes me particularly desirous of presenting him to you.

I believe, sir, I am enough known to you for you to believe me when I say that there has not been from the beginning a single person more averse to the unhappy war or who wishes more earnestly than I do for a return of peace and mutual amity between Great Britain and America.

I am, with great regard, sir, your most obedient, humble servant,  
T. TOWNSEND.

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**La Fayette to Washington.\***

PARIS, *October 24, 1782.*

MY DEAR GENERAL: My last letter has informed you that in case peace is not made and our plans do not immediately take place at this court, I should think it consistent with my zeal for our cause, and my obedience to your intentions, to take a roundabout way to serve our military purposes. Under these circumstances I have consented to go this winter with Count d'Estaing, but though I am to re-enter the French line as a marshal-de-camp from the date of Lord Cornwallis' surrender, I will, however, keep my American uniform, and the outside as well as the inside of an American soldier. I will conduct matters and take commands as an officer borrowed from the United States, as it were, occasionally, and will watch for the happy moment when I may join our beloved colors.

My seeing the West Indies will, I hope, bring about and insure the thing we want, or any other you may wish. In seeing the West Indies I shall have with me maritime superiority. A vessel will go to America in a fortnight. What I write to you has been given to me under the greatest secrecy and, until I am at liberty to mention it, I beg it may be for you alone. When matters are better settled I will be more particular; in the mean time you may prepare your orders to me. As there will be private communications, and they might be sent by two ways, I was thinking officers could be despatched. George wanted to make a voyage. Mr. Henry had the same desire. You know that with me George will be well taken care of. I give those hints beforehand. Your excellency will fully hear from me by the next vessel. I hope the New York expedition may take place about June. What I am doing was the only way.

In a month's time we must know if England be willing to make peace, and if it be not made shortly after the meeting of Parliament it is certain that another campaign becomes necessary. I do not intend to set out before that time.

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\* 2 La Fayette's Memoirs, 37.

Colonel Gouvion is not, I suppose, immediately wanted, and I have presumed to think your excellency will not be displeased at my keeping him with me.

My best and most affectionate respects wait upon Mrs. Washington, and my tenderest compliments upon the family and my other friends. Madame de la Fayette joins with me in presenting you and Mrs. Washington with assurances of her love and respect. You know my heart, my dear General, and I need not tell you how respectfully, how affectionately, I have the honor to be, &c.

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**Morris to the Governor of Rhode Island.\***

OFFICE OF FINANCE, *October 24, 1782.*

SIR: My circular letter of the 23d instant contains the estimates and requisitions for the service of the year 1783. I must take the liberty to make a few observations on them, which apply particularly to the State of Rhode Island. In the letters to Congress of the 29th and 30th of July last, copies of which were transmitted in my circular letter of the 12th of September, I have so fully expressed my sentiments on the subject of credit and loans that I shall not repeat them. Your excellency will perceive that, in the act of the 16th instant, although the estimates amount to six millions, yet only two are required, and that further requisitions are suspended until the result of measures for obtaining loans shall be known. It is unnecessary to mention that Congress have directed an attempt to borrow four millions.

The propriety of this step will be self-evident, when the fate of their requisitions for the present year is considered. The sums brought in from the several States being regularly published in the gazettes will spare me the pain of repeating them. I say the pain, because every such repetition will have in some degree the air of reproach. It must be remembered that the duration of the war does not depend upon Congress. This is an invaded country, invaded for the purpose of conquest; and between opposition and submission there is no middle line. The idea of submission is, and ever ought to be, rejected with disdain. Opposition, therefore, becomes a matter of necessity, and that opposition involves expense.

There is, then, a certain degree of expense that can not be avoided, and this must be provided for. The estimates being formed under the idea of money in hand to pay for services required, they are stated as low as possible. It appears, therefore, that the six millions mentioned in the estimates must be had. It appears, from the experiments already made, that the people are either unwilling or unable to pay the whole in taxes; and whether want of power or inclination be the true cause is immaterial to the present inquiry, for the fact is clear. Now, there

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\*6 Sparks' Dip. Rev. Corr., 561.

are but four modes of obtaining the supplies. Either they must be given to us, or lent to us, or raised by taxes, or taken by force. As to the first, we can place no dependence in it; and as to the last, it is neither the most constitutional, the most economical, nor the most pleasing way; necessity may justify it, but it will be very difficult to justify the necessity. The supplies, therefore, must be obtained by loans or taxes; so that, if they can not be obtained by loans, taxation is the only resource; and in that case there is no medium between legal taxation and military collection. For, if we will not submit to Great Britain, we must carry on the war; and if we carry on the war we must obtain the means; and if we can not get the means abroad we must provide them at home; and if we do not provide them by law they must be taken by force.

The inattention of the States to the requisitions of the United States leaves Congress no choice between loans and military collections. Whether they can obtain loans must depend upon other people. They can not obtain loans without credit, and they can not have credit without funds; and they can not get funds without the concurrence of the States. They must ask that concurrence before they can obtain it, and they must determine on the funds before they can ask. The making yearly requisitions of quotas to pay the interest of public debts will not do. It is in itself a futile measure; but if it were the best thing in the world, yet if those who are to lend do not think so, there is an end of the matter. Now the fact is, that nobody will lend upon promise of such requisitions. And truly the compliances made with those for carrying on the war, give very little encouragement. It follows, then, that Congress *must* ask for particular funds. They have asked for one, and it is not complied with by two States out of thirteen. Shall Congress, then, adhere to the demand; or shall they change their application? If they should change it, could they expect that there would not then be one or two opposing States? To answer the question let it be inquired what objects of taxation can be devised to which exceptions can not be made? Surely there are none.

Let it be inquired next, whether there is any object so unexceptionable as that which they have fixed upon? The answer is, no. It follows, then, that in changing the application, there would be less prospect of success than at present. Congress, then, must adhere to their requisitions; and if that fund be not granted we can not expect loans. But it is demonstrated by experience that we can not get sufficient taxes. We certainly can not get rid of the war, and therefore the people must have their property taken by force. The necessity will justify this. But, as I said before, who will justify the necessity? Surely the authors of it should think of that in season.

Will it be a sufficient justification to say that the demand of Congress is *unconstitutional*? If a thing be neither wrong nor forbidden it

must be admissible. Such a requisition is nowhere forbidden, and therefore it is admissible if it be not wrong. Now, it can not be wrong to do that which one is obliged to do, be the act what it may. And Congress are obliged to make such requisitions. But further, it must be admitted that they are not contrary to the moral law. Supposing, then, for argument's sake, that the thing asked for would, if granted, be contrary to the confederation. If so, the grant would alter the confederation. But the grant is not to take effect without general consent. The confederation was formed by general consent, and by general consent it may be altered. The requisition, therefore, if complied with, will by that very compliance become constitutional.

But it may perhaps be suggested that the five per cent. impost will not be sufficient for the object in view. This must be acknowledged, but what inference is to be drawn from thence? Not that Congress should ask for more. Under the circumstances in which they are placed, it is difficult to ascertain what line of conduct is to be pursued. If they ask further revenues, it may be said that there is weakness in framing new demands before old ones are complied with. Every fund will meet with some opposition, and every opposition encourages new opponents. The evil presses hard. Public credit is at the last gasp, or rather it is expired. Not only are we to expect a formidable clamor from the abused and injured creditors, but there is really very little hope of obtaining foreign loans. For how can it be expected that a republic without funds should persuade foreigners to lend them money, while its own citizens, who have already lent theirs, can neither obtain the interest nor any solid security either for interest or principal.

This, sir, is an object of great magnitude, and one which directly or indirectly concerns every inhabitant of the United States. The critical situation we stand in has rendered it necessary for Congress to demand a decided answer. No time is to be lost, for if the revenues can not be obtained, the public creditors must be told so in plain terms. The efforts to borrow further sums must cease, of course, and then the whole weight of the war must fall on the people in one mode or the other. It is a very serious question whether the little applause which individuals may gain by specious declamations and publications should overbalance every consideration of national safety. This serious and important question your legislature is now, by the representatives of all America, most solemnly called on to decide.

I am, sir, with perfect respect, your excellency's most obedient and humble servant,

ROBERT MORRIS.

## Washington to Luzerne.\*

HEADQUARTERS, *October 25, 1782.*

SIR: The enclosed letter, which I have the honor to transmit to your excellency, was received this moment by a flag of truce from New York. It was accompanied by one addressed to me from the Count de Vergennes on the same subject.†

The case of Captain Asgill having, before the receipt of these letters, been submitted to Congress, I have immediately transmitted to that body copies of the count's letters to me, and have permitted myself to solicit from them an early decision of his fate, which, judging from my own feeling, I persuade myself can not be an unfavorable one.

I send your excellency a transcript of intelligence which I have this day forwarded to the Marquis de Vaudreuil.

I am, &c.,

GEORGE WASHINGTON.

## Luzerne to Washington.†

[Translation.]

PHILADELPHIA, *October 25, 1782.*

SIR: I have received the letter your excellency did me the honor to write me on the 10th instant, with the amount of expenses incurred by the expresses which formed the communication with the Marquis de Vaudreuil. The treasurer of our army will pay to your quartermaster-general the five hundred and thirty-seven dollars he has been so kind as to advance for that purpose. I beg, also, that you will please to send me the amount of expenses incurred in procuring the intelligence from New York, and that you will accept my thanks for the trouble you have had in these details.

I will be exceedingly obliged to your excellency to inform me where the seventy-fifth regiment of grenadiers actually is.

I have the honor to be, &c.,

LUZERNE.

## Washington to the President of Congress.‡

HEADQUARTERS, *October 25, 1782.*

SIR: I have the honor to transmit to your excellency the copy of two letters§ from the Count de Vergennes, which were sent out in the packet from England, and have just come to my hands by a flag of truce

\* 6 Sparks' Dip. Rev. Corr., 93.

† See Lady Asgill to Vergennes July 18, 1782, *supra*.

‡ MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 93.

§ See Lady Asgill to Vergennes, July 18, and Vergennes to Washington, July 29, 1782, *supra*.

from New York. They contain a very pathetic and affectionate interposition in favor of the life of Captain Asgill. I lose no time in forwarding them by a special messenger to Congress, without any observations, being persuaded that Congress will not fail to give a very early decision respecting his further treatment.

The enclosed newspaper contains all the information I have been able to obtain since the arrival of the packet.

I have the honor to be, &c.,

GEORGE WASHINGTON.

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Morris to Franklin.\*

OFFICE OF FINANCE, *October 27, 1782.*

SIR: I do myself the honor to enclose the copy of a paper transmitted to me by the Governor of Virginia. The clothing there mentioned is a part of those supplies for the State of Virginia which the court of France have charged to the United States. You will recollect the discussions on the subject. It is with a very sincere desire to remove every disagreeable trace of them that I have agreed to a proposition made me by the Governor of Virginia in his letter dated in council chamber on the 23d of September last, of which the following is an extract: "The regulations you have entered into for clothing the Continental army will render useless to the State a quantity of necessities now in France furnished by his most Christian majesty; as the terms we have them on, which I have before transmitted to you, are such as will make the payment easy to the United States, we shall be obliged to you to take them off our hands, and take the debt so far as they go on the States. You will have a copy of the invoice enclosed, by which you will see that they will be useful and necessary for the army, which will I hope, induce you to oblige the State." The enclosed referred to is that above mentioned. I make no doubt that the court will choose to consider the whole of these supplies as advanced on the credit of the United States. And therefore there is so much the less objection to taking a part of the goods. As for the remainder, I think it better for Congress to adjust the matter with Virginia than to plague the king's ministers with altercations about it.

I am, sir, your most obedient and humble servant,

ROBERT MORRIS.

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Luzerne to the President of Congress.†

[Translation.]

PHILADELPHIA, *October 28, 1782.*

SIR: The undersigned, minister plenipotentiary of his most Christian majesty, has had too frequent opportunities of satisfying himself that Congress fully perceives how intimately the interests of the two nations

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\* 6 Sparks' Dip. Rev. Corr., 56A.

† 6 Sparks' Dip. Rev. Corr., 94.



are connected, not to be convinced that they will learn with pain that very considerable quantities of provisions have been sent by the Raritan to New York, and along the river opposite to Staten Island. The undersigned minister can not enter into the details of this proceeding, which he knows only by reports, though by reports upon which he has the strongest reasons for believing that he can depend. This trade is, moreover, carried on in the most open manner, and he is convinced that, by inquiries instituted with promptness and secrecy, he shall be able to obtain proofs of it, and to procure the means of putting a stop to it. Cattle of all kinds have served to furnish with provisions the enemy's fleet, which has just sailed down to the Hook. It is asserted that the quantities sent from the Jerseys are immense, but the Chevalier de la Luzerne thinks it unnecessary to attempt at present to determine them exactly, and contents himself with observing that the nineteen vessels thus supplied will not, perhaps, depart immediately, and that it will be necessary to shut up the channels by which these provisions have reached them.

There are, besides, eight other ships of the line at New York, which they intend to supply with provisions in the same way. Congress are aware how important it is to prevent the enemy from obtaining from the United States the means of putting to sea, and even of supplying the garrison. The undersigned also knows what efforts have been made by that body, on different occasions, to put a stop to those illegal operations, and how desirous it is effectually to guard against them. He also knows that all the good citizens of the Jerseys grieve to see the enemy obtaining from their own State supplies which are employed against the allies of the United States, and he is convinced that it is only necessary to point out the evil in order that all may cordially unite in providing a remedy for it.

LUZERNE.

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Livingston to the President of Congress.\*

PHILADELPHIA, *October 29, 1782.*

SIR: I have the honor to enclose for the inspection of Congress, a letter from Mr. Harrison. So much of it as relates to the state of his accounts has been sent to the office of finance. As this subject has before been strongly insisted upon by Mr. Jay, I doubt not that Mr. Morris will pay every attention to it which the means in his hands will permit.

Mr. Harrison is so well spoken of by Mr. Jay, and has manifested on many occasions watchful attention to the welfare of the United States, and discovered such disinterestedness in every transaction which related to them, that I can not but hope that Congress will think him

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 200.

worthy of some public notice. Should they be of opinion that it would be improper to appoint him consul at a time when he could not be received in his public character, and when an attempt to display it might draw upon the United States new indignities, yet it would give me pleasure to be enabled to assure him from Congress that they entertain a just sense of his services, that they wish him to continue to act under the authority he has received from Mr. Jay, till the politics of Spain shall render it proper to vest him with more ample powers. This earnest of the favor of Congress would stimulate him to merit further marks of their confidence.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

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Carmichael to Livingston.\*

No. 15.

MADRID, *October 29, 1782.*

SIR: The state of uncertainty in which every one here has been for some time, respecting the motions of the combined and British fleets, to relieve, or prevent the relief of Gibraltar, joined to a general embargo at Cadiz, and the want of other occasions, has prevented me from doing myself the honor of addressing you since the 29th ultimo. I hope you will be persuaded that my time has been devoted to no other pursuits than those which my duty dictates. Enclosed I have the honor to send a particular relation of the most interesting circumstances which have passed in this interval. I have had occasion to compare the intelligence with that of others, and particularly with letters written by a marine officer in this service, but at the same time employed to convey information to another court, and I find that upon the whole my correspondent conforms with others in the most material points, and enters into more minute details than those I have seen from other quarters.

My letters of the 26th Aug., 8th and 29th of September, will have advised you of the steps I have taken to obtain redress on affairs interesting to individuals, and to our commerce in general. The enclosed copy of a letter from his excellency the Count de Florida Blanca, will show that my endeavors have not been entirely ineffectual. The affair of the duties is still under deliberation. As soon as Mr. Harrison shall have disposed of the *Lord Howe*, I shall address the minister on the subject of the Dover cutter; there can be then no pretention for detention or delay. I have since my last received advice from Paris, but not from our commissioners, that the difficulties with respect to the powers

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 102, with verbal changes and omissions.

of the British plenipotentiary have been obviated, and that a separate agent has been named to treat with us. But on this head you will have more ample information than it is in my power to give you.

I am also informed that M. Rayneval, brother to M. Gerard, has gone to London. This circumstance renders the appearance of the negotiation more serious. I am persuaded the greatest obstacles to a pacification will come from this quarter. It is difficult to relinquish favorite ideas, of which, to attain the accomplishment, so much treasure has hitherto been spent in vain. Perhaps it will be best for us that we have not concluded a treaty heré, which we have so long solicited.

The expedition mentioned in my last is certainly resolved on. The Count d'Estaing, it is said, will have the command, and will sail from Cadiz with between forty and fifty sail-of-the-line, and ten or twelve thousand troops. The squadron at Brest is fitting for sea, and is to consist of eight or ten sail-of-the-line. It is conjectured it will sail as soon as Lord Howe's return is known. If the junction is formed in time, this formidable force, under the command of an officer distinguished for his zeal and activity, may hasten the negotiations.

The answers to my letters to Holland, on the subject of the Russian loan, and to those which I have procured others to write to Genoa on the same point, inform me that it fills slowly. That of Spain for three millions will be obtained. I have no doubt of the truth of my information on this subject. In Portugal they pay dear for the gold they procure from thence. The depreciation is greater than ever, and to prevent its further progress is one of the most serious objects of the attention of the ministry. No changes since my last have taken place in the general system of Europe, or in this cabinet, except that the Count de Florida Blanca has joined another department in the ministry to that which he before occupied, viz, that of Grace and Justice, vacant by the death of M. Roda. Of course he will have more to do than ever, and I shall be obliged to remind him more frequently of our little affairs.

My situation with respect to American information is exceedingly disagreeable. I hear of arrivals in France, and of letters being received by our ministers there, without any for me; I am persuaded that the blame falls on European curiosity. I expect soon to have an occasion of writing to you, when I shall do myself the honor to transmit you any further particulars that may appear worthy of your notice. I can not help repeating that, notwithstanding the appearances of peace, the preparations for war are as vigorous as ever.

I have the honor to be, &c.,

WILLIAM CARMICHAEL.

Livingston to Luzerne.\*

OFFICE OF FOREIGN AFFAIRS, *October 30, 1782.*

SIR: The Secretary of the United States for the Department of Foreign Affairs has the honor to inform the minister plenipotentiary of his most Christian majesty that a petition has been presented in behalf of the owners and officers of the brig *Lætitia*, commanded by Robert Collins, and commissioned by the United States. That the said brig, while at anchor in the road of Basseterre, on the 3d day of May last, near the island of St. Christophers, captured by her boat a brig called the *Francis*, belonging to the subjects of his British majesty, bound from the port of Liverpool, in England, to the island of Tortola, and having on board a valuable cargo.

That after the prize had been brought to anchor in the road of Bassaterre by the officers and mariners of the said brig *Lætitia* the harbor master of the island of St. Christophers, aided by a guard, took possession of her under pretence that she was included in the capitulation, though the contrary appears from the affidavits annexed; that the said prize was afterwards advertised and sold as a prize to the subjects of his most Christian majesty, without any condemnation in the courts of admiralty of the island. As the sale of this prize fully demonstrates that she could never have been included in the number of those vessels protected by the capitulation, it is not doubted that the justice of his most Christian majesty's ministers will induce them to direct that the value of the prize be repaid to the legal captors, when the Chevalier de la Luzerne shall have submitted the above state of facts, and the annexed affidavits, to their inspection, together with such observations as his own candor and equity will induce him to make thereon.

ROBERT R. LIVINGSTON.

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J. Adams to Livingston.†

PARIS, *October 31, 1782.*

SIR: Having executed the treaty of commerce at The Hague, and despatched four copies of it by four different vessels bound to America from the Texel, and having signed a sufficient number of obligations to leave in the hands of Messrs. Willinks, Van Staphorsts, and De la Lande and Fynjè, and having received information from Mr. Jay that Mr. Oswald had received a commission from the king, his master, under the great seal of Great Britain, to treat with the commissioners of the United States of America, I set off for Paris, where I arrived on Saturday, the 26th of this month, after a tedious journey, the roads being, on account of long-continued rains, in the worst condition I ever knew them.

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 95.

† 3 Sparks' Dip. Rev. Corr., 674; 7 J. Adams' Works, 652.

I waited forthwith on Mr. Jay, and from him learned the state of the conferences. It is not possible at present to enter into details. All I can say is in general, that I had the utmost satisfaction in finding that he had been all along acting here upon the same principles upon which I had ventured to act in Holland, and that we were perfectly agreed in our sentiments and systems. I can not express it better than in his own words: "to be honest and grateful to our allies, but to think for ourselves." I find a construction put upon one article of our instructions by some persons which, I confess, I never put upon it myself. It is represented by some as subjecting us to the French ministry, as taking away from us all right of judging for ourselves, and obliging us to agree to whatever the French ministers should advise us to, and to do nothing without their consent. I never supposed this to be the intention of Congress; if I had, I never would have accepted the commission, and if I now thought it their intention I could not continue in it. I can not think it possible to be the design of Congress; if it is I hereby resign my place in the commission, and request that another person may be immediately appointed in my stead.

Yesterday we met Mr. Oswald at his lodgings; Mr. Jay, Dr. Franklin, and myself on one side, and Mr. Oswald, assisted by Mr. Strachey, a gentleman whom I had the honor to meet in company with Lord Howe upon Staten Island, in the year 1776, and assisted also by a Mr. Roberts, a clerk in some of the public offices, with books, maps, and papers relative to the boundaries.

I arrived in a lucky moment for the boundary of the Massachusetts, because I brought with me all the essential documents relative to that object, which are this day to be laid before my colleagues in conference at my house, and afterwards before Mr. Oswald.

It is now apparent, at least to Mr. Jay and myself, that in order to obtain the western lands, the navigation of the Mississippi, and the fisheries, or any of them, we must act with firmness and independence, as well as prudence and delicacy. With these there is little doubt we may obtain them all.

Yesterday I visited M. Brantzen, the Dutch minister, and was by him very frankly and candidly informed of the whole progress of the negociation on their part. It is very shortly told. They have exchanged full powers with Mr. Fitzherbert, and communicated to him their preliminaries, according to their instructions, which I have heretofore transmitted to Congress. Mr. Fitzherbert has sent them to London and received an answer, but has communicated to them no more of this answer than this, that those preliminaries are not relished at St. James'. He excused his not having seen them for six or seven days by pretence of indisposition, but they are informed that he has made frequent visits to Versailles during these days, and sent off and received several couriers.

How the negociation advances between Mr. Fitzherbert and the Count de Vergennes, and the Count d'Aranda we know not.

The object of M. de Rayneval's journey to London is not yet discovered by any of us. It is given out that he was sent to see whether the British ministry were in earnest.\* But this is too general. It is suspected that he went to insinuate something relative to the fisheries and the boundaries, but it is probable he did not succeed respecting the former, and perhaps not entirely with respect to the latter.

With great respect, &c.,

JOHN ADAMS.

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Dana to Livingston.†

No. 10.

ST. PETERSBURGH, (*October 21*), *November 1*, 1782.

SIR: Conceiving that the most, if not the only, profitable connexion we can form with this empire is of a commercial nature, I have, during my residence here, turned much of my attention to learn in what manner we can carry on a commerce with it to our greatest benefit. In a former letter I acquainted you that rice and indigo were the principal of our commodities adapted to this market; that it would be necessary, therefore, for us, in order to maintain any considerable commerce with this empire, to do it by means of a circuitous navigation; and I pointed out a course which I thought practicable. That, however, would be absolutely annihilated if the scheme communicated in my letter ‡ of October 1st should be carried into execution.

It was not on that account alone that I was led to consider that scheme in so serious a light. I found it a great obstacle in my way, counter-acting our immediate views and aiming a blow at our interests in the only part where they were liable to or might most easily be injured and wounded. I was, of course, an obstacle in the way of that, though at first without the least apprehension of its existence; and it must necessarily have been supposed that I should be so.§ How far this may

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\* See Franklin to Livingston, December 5, 1782, *infra*; also the North American Review for January, 1830, p. 21.

† MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 646.

‡ No. 8, not in Department.

§ As Dana's letter of Oct. 1, 1782, is lost, we must look to his letter of Oct. 15 to Adams for an explanation of the text. If so, we find that the sinister object imputed to France was the offering to Russia a treaty which would give Russia certain advantages in French ports. This, Mr. Dana thought, would, in the matter of hemp, conflict with the interests of the United States. It must, however, be remembered that France and Britain were at this time bidding for Russian support; that Britain offered Mexico to Russia, and expended large sums in bribing Russian officials; and that France offered commercial privileges. These facts are told with much vivacity in the despatches of the first Lord Malmesbury, published in the first volume of his papers.



have influenced in certain matters which I need not point out for your information, I will not take upon me to say. I hope it will not be thought I have already said too much upon it, or that I have been unreasonably alarmed about it. There is not, I believe, the least apprehension that I have come to the knowledge of it or that I have been in the way of obtaining the least information of it. While things remain in this state, there will be no disagreeable consequences from it. In my last I have added some circumstances for the explanation of this subject, as I thought it not advisable to say any thing upon it in my letter of October 1st, lest it might tend to disclose it if that letter should be intercepted at the office here. One channel of my correspondence has been lately discovered, and a letter written to me upon political subjects was opened at the office and sent to me slightly sealed, that I might know it had been opened there. Fortunately, it placed our affairs in a very favorable light and can do us no injury, but will serve to confirm the representation I have constantly made of them.

There is another channel of commerce which we may perhaps enter into with equal or greater benefit to ourselves, and in which we shall have great advantages, if I am not deceived, over all the nations of Europe in this market; I mean through the West Indies, all the productions of which (rum excepted) are brought here, after being carried into the respective mother countries, where they are unloaded, deposited for a considerable time, and loaded again before they are brought in here; all which occasions a great increase of expense and much enhances their price. Now, almost all our commodities find a ready market in the islands. Would it not be practicable, therefore, for us to exchange them there for the proper commodities of the islands, at proper seasons of the year, and to proceed directly for this market? By such means might we not be able to furnish them here at a much cheaper rate than any of the Europeans can do it, and nearly as cheap as if they were our own native productions, and might we not always be at this market with them before they could be or by the time they arrive in their respective ports? Our want of proper commodities to carry on a commerce with this country to any considerable extent, whose productions we stand in great need of, should, and doubtless will, make us look abroad for them. The Dutch have found it for their advantage to take the commodities of the West Indies through France and to bring them on here, as well as the wines, brandies, &c., of that country. I am sensible this is a matter of calculation, and that no one but a thorough merchant should pretend to decide upon it. I throw out the matter, therefore, for consideration.

I have suggested this plan here as one by means of which this empire might be furnished with all the productions of the West Indies, at a much cheaper rate than the European nations can possibly supply them through their respective European countries; and, besides this certain advantage, they may obtain another as a consequence of that,

of infinite importance to this country, viz, that the Europeans, seeing their West Indian commodities undersold here by the Americans, may find it necessary to set the commerce of these islands and countries free; and to permit the productions of them to be exported directly to any foreign ports in Europe, and that it is not improbable that such a revolution in commerce will take place.

I have the honor to be, &c.,

FRANCIS DANA.

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**Article Proposed and Read to the Commissioners Before Signing the Preliminary Articles.\***

It is agreed that his Britannic majesty will earnestly recommend it to his Parliament to provide for and make a compensation to the merchants and shop-keepers of Boston whose goods and merchandise were seized and taken out of their stores, warehouses, and shops by order of General Gage and others of his commanders and officers there; and also to the inhabitants of Philadelphia, for the goods taken away by his army there; and to make compensation also for the tobacco, rice, indigo, and negroes, &c., seized and carried off by his armies under Generals Arnold, Cornwallis, and others from the States of Virginia, North and South Carolina, and Georgia, and also for all vessels and cargoes belonging to the inhabitants of the said United States which were stopped, seized, or taken, either in the ports or on the seas, by his governors or by his ships of war before the declaration of war against the said States.

And it is farther agreed that his Britannic majesty will also earnestly recommend it to his Parliament to make compensation for all the towns, villages, and farms burnt and destroyed by his troops or adherents in the said United States.

**FACTS.**

There existed a free commerce upon mutual faith between Great Britain and America. The merchants of the former credited the merchants and planters of the latter with great quantities of goods on the common expectation that the merchants, having sold the goods, would make the accustomed remittances; that the planters would do the same by the labor of their negroes and the produce of that labor, tobacco, rice, indigo, &c.

England, before the goods were sold in America, sends an armed force, seizes those goods in the stores, some even in the ships that

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 464.

This *article*, and the *facts* which follow, were drawn up by Dr. Franklin, and intended to be insisted on in case the British commissioners persevered in their demands respecting the fisheries. See Franklin to Livingston, December 5, 1782, *infra*. SPARKS.

brought them, and carries them off; seizes also and carries off the tobacco, rice, and indigo, provided by the planters to make returns, and even the negroes, from whose labor they might hope to raise other produce for that purpose.

Britain now demands that the debts shall nevertheless be paid.

Will she, can she, justly refuse making compensation for such seizures ?

If a draper who had sold a piece of linen to a neighbor on credit should follow him, take the linen from him by force, and then send a bailiff to arrest him for the debt, would any court of law or equity award the payment of the debt without ordering a restitution of the cloth ?

Will not the debtors in America cry out that if this compensation be not made they were betrayed by the pretended credit and are now doubly ruined, first by the enemy and then by the negociators at Paris, the goods and negroes sold them being taken from them, with all they had besides, and they are now to be obliged to pay for what they have been robbed of ?

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Livingston to La Fayette.\*

PHILADELPHIA, *November 2, 1782.*

DEAR SIR: The confusion occasioned by the misfortune of the *Eagle*, and the delay that the gentlemen who saved their baggage experienced in getting here, prevented my receiving your favor of the 25th and 29th of July till the last of September, although I had acknowledged the receipt of the letters by the same conveyance much earlier.

Your letter contained so much important matter that it was laid before Congress, for knowing it would be advantageous to you, and place your assiduity and attention to their interests in its strongest point of light. I choose to consider most of yours as public letters; this last was particularly acceptable, as neither Mr. Franklin nor Mr. Jay had been so explicit as we had reason to expect. Our system of politics has been so much the same for a long time, tending only to one point, a determination to support the war till we can make peace in conjunction with our allies, that the whole history of our cabinet amounts to nothing more than a reiteration of the same sentiments in different language; and so plain is our political path, so steadily do we walk in it, that I can add nothing to what I have already written you on that subject.

The events of the campaign are as uninteresting; the inactivity and caution of the enemy has given us leisure to form the finest army this country ever saw, while they conspire to render that army useless for the present. The troops are gone into winter quarters, ours at Fish-

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 399.

kill, West Point, and its vicinity; the French as far east as Hartford. [Here follow six lines of cipher.]

This day we are informed from New York that fourteen sail of the line, one of forty guns, and seven frigates sailed from thence on the 26th. We can not learn that they had troops on board or under convoy. [Here follow five lines of cipher.]

The *Magnifique* is lost, I believe without hope of recovery. She will, however, be well replaced by the *America*, which all accounts concur in calling a fine ship. But unless your fleet is very considerably strengthened in those seas another campaign may slip away as uselessly as the last; for I see no reason to suppose, while Lord Shelburne is at the head of administration, that the negotiations for peace will wear a serious aspect. I believe with you that his royal master is set upon risking everything rather than acknowledge our independence, and as he possesses the art of seduction in a very eminent degree it will require more firmness to resist his solicitations than is generally found among courtiers. I am very much pleased to hear that the siege of Gibraltar is at last undertaken, with some prospects of success. This I sincerely wish. England has found in that single fortress a more powerful ally than any other she could make in Europe. It has for the most part employed the navy of Spain, and cost them five ships of the line.

You need feel no anxiety on the score of an apology for your absence; everybody here attributes it to its true cause, and considers it as a new proof of your attachment to the interests of America. The papers I send with this will serve to confirm this assertion.

I thank you for the acquaintance of the Prince de Broglie and the Count de Segur; they handed me your letters the day I was unfortunately obliged to leave town. They have, however, promised to be here this winter, and to give me an opportunity of consoling myself for your absence by the attention they will enable me to show to those you love. Your brother-in-law is gone, I find, to the siege of Gibraltar. I beg you to write particularly to remind him of his American friends. He shall hear from me by the first opportunity; in the meanwhile tell him he will not do justice to our expectations if he neglects to promote the great object which we discussed together a little before he left this country, foreseeing then that he would ere long be called to Spain. I ought not to conclude this without informing you that the chair of state is transferred to Mr. Boudinot, Mr. Hanson's term having expired.

I am, my dear sir, &c.,

ROBERT R. LIVINGSTON.

**J. Adams' Journal of Peace Negotiations.\***SATURDAY, *November 2, 1782.*

Almost every moment of this week has been employed in negotiation with the English gentlemen concerning peace. We have two propositions, one the line of forty-five degrees, the other a line through the middle of the lakes. And for the boundary between Massachusetts and Nova Scotia, a line from the mouth of St. Croix to its source, and from its source to the Highlands.

SUNDAY, *November 3.*

In my first conversation with Mr. Franklin on Tuesday last, he told me of Mr. Oswald's demand of the payment of debts and compensation to the Tories. He said their answer had been that we had not power nor had Congress. I told him I had no notion of cheating anybody. The question of paying debts and compensating Tories were two. I had made the same observation that forenoon to Mr. Oswald and Mr. Strachey, in company with Mr. Jay, at his house. I saw it struck Mr. Strachey with peculiar pleasure; I saw it instantly smiling in every line of his face. Mr. Oswald was apparently pleased with it too. In a subsequent conversation with my colleagues, I proposed to them that we should agree that Congress should recommend it to the States to open their courts of justice for the recovery of all just debts. They gradually fell into this opinion, and we all expressed these sentiments to the English gentlemen, who were much pleased with it, and with reason, because it silences the clamors of all the British creditors against the peace, and prevents them from making common cause with the refugees. Mr. Jay came in and spent two hours in conversation upon our affairs, and we attempted an answer to Mr. Oswald's letter. He is perfectly of my opinion, or I am of his, respecting Mr. Dana's true line of conduct, as well as his with Spain and ours with France, Spain, and England.† Vergennes has endeavored to persuade him to treat with d'Aranda without exchanging powers. He refuses. Vergennes also pronounced Oswald's first commission sufficient, and was for making the acknowledgment of American independence the first article of the treaty. Jay would not treat; the consequence was a complete acknowledgment of our independence by Oswald's new commission, under the great seal of Great Britain, to treat with the commis-

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 695, with omissions and verbal changes. The text in 3 J. Adams' Works, 300 ff., differs in several points, which are noted, from that in the Department.

† In 3 J. Adams' Works, 301, occurs at this point the following:

"I learned from him that there has not been a harmony between him and Carmichael. The latter aimed at founding himself upon a French interest and was more supple to the French ambassador at Madrid and to Mr. Gérard than was approved by the former. Gérard endeavored to persuade him to show him his instructions, which he refused, at which offence was taken."

sioners of the United States of America. Thus a temperate firmness has succeeded everywhere, but the base system nowhere.\*

D'Estaing has set off for Madrid and Cadiz; *reste à savoir* what his object is, whether to take the command of a squadron, and in that case, where to go, whether to Rhode Island to join Vaudreuil and go against New York, or to the West Indies. Will they take New York, or only prevent the English from evacuating it? Oswald proposed solemnly to all three of us yesterday, at his house, to agree not to molest the British troops in the evacuation; but we did not. This, however, shows they have it in contemplation. Suppose they are going against West Florida. How far are we bound to favor the Spaniards? Our treaty with France must and shall be sacredly fulfilled, and we must admit Spain to accede when she will; but until she does our treaty does not bind us to France to assist Spain.

The present conduct of England and America resembles that of the eagle and cat. An eagle, sailing over a farmer's yard, espied a creature that he thought a hare. He pounced upon and took her up in the air; the cat seized him by the neck with her teeth and round the body with her fore and hind claws. The eagle, finding himself scratched and pressed, bids the cat let go and fall down. No, says the cat, I won't let go and fall, you shall stoop and set me down.

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Franklin to J. Adams.†

PASSY, November 3, 1782.

SIR: I am perfectly of your opinion respecting the copy to be sent to Mr. Dana, and I shall have one prepared directly for that purpose. Is it not also a proper time for you to propose the quadruple alliance offensive and defensive, or at least defensive, which I think you once mentioned to me? For I apprehend this peace may be so humiliating to England that, on the first occasion, she will fall upon one or other of the powers at present engaged against her; and it may then be difficult for us to unite again.

I have the honor to be, &c.,

B. FRANKLIN.

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\* In 3 J. Adams' Works, 301, comes the following at this point:

"Ridley says that Jennings\* is in easy circumstances, and as he always lives within his income, is one of the most independent men in the world. He remitted him three thousand pounds sterling when he came over to France. His father left him ten thousand pounds. He kept great company in England, and no other. He is related to several principal families in America and to several great families in England; was bred to the law in the Temple and practised as chamber counsel, but no otherwise."

† 7 J. Adams' Work, 656.

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\* As to Jennings, see note under Adams to Jennings, March 12, 1780.



## Luzerne to Livingston.\*

[Translation.]

PHILADELPHIA, *November 4, 1782.*

SIR: Congress, in the year 1780, recommended to the different States to pass laws analogous to the thirteenth article in our treaty of commerce. Some States have complied with this recommendation, others, among which is Pennsylvania, have neglected to do it. I know that several Frenchmen, who have acquired funds in this State, do not trust to the protection of prosecutions *de l'échiquier général* for want of a law of this nature. I entreat you, sir, to be pleased to procure the passing of such a law in case that you think that the said article of the treaty is not sufficient to secure to them the quiet possession of the funds which they have acquired.

I have the honor of sending you, sir, a letter from the Count de Durat, governor of Grenada, relative to an affair concerning which I wrote to him by your recommendation. It seems to me, agreeably to his answer, that those interested should for the future apply to Dr. Franklin to procure satisfaction. You will perhaps think proper to communicate to them the letter of M. de Durat.

You will also find annexed, sir, some papers relative to an affair which concerns the United States or the State of Georgia. Be pleased to let me know what answer I can send to those inhabitants of the Cape who are interested.

I am, sir, with the greatest respect, &c.,

LUZERNE.

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Franklin to Thomas Townsend.†
PASSY, *November 4, 1782.*

SIR: I received the letter you did me the honor of writing to me by Mr. Strachey, and was much pleased with the opportunity it gave me of renewing and increasing my acquaintance with a gentleman of so amiable and deserving a character.

I am sensible you have ever been averse to the measures that brought on this unhappy war; I have, therefore, no doubt of the sincerity of your wishes for a return of peace. Mine are equally earnest. Nothing, therefore, except the beginning of the war, has given me more concern than to learn at the conclusion of our conferences, that it is not likely to be soon ended. Be assured no endeavors on my part would be wanting to remove any difficulties that may have arisen, or even if a peace were made, to procure afterwards any changes in the treaty that might tend to render it more perfect, and the peace more durable. But we,

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\* MSS. Dep. of State; 6 Sparks' Dip. Rev. Corr., 95.

† 2 Sparks' Dip. Rev. Corr., 385; 9 Sparks' Franklin, 423; 8 Bigelow's Franklin, 201.

## Adams' Journal of Peace Negotiations—Continued.\*

NOVEMBER 4, 1782.

All the forenoon, from eleven till three, at Mr. Oswald's, Mr. Jay and I. In the evening there again, until near eleven. Strachey is as artful and insinuating a man as they could send. He pushes and presses every point as far as it can possibly go. He has a most eager, earnest, pointed spirit.†

TUESDAY, *November 5.*

[Mr. Jay likes Frenchmen as little as Mr. Lee & Mr. Izard did. He says they are not a moral people. They know not what it is. He don't like any Frenchman. The Marquis de La Fayette is clever, but he is a Frenchman.]‡ Our allies don't play fair, he told me. They were endeavoring to deprive us of the fishery, the western lands, and the navigation of the Mississippi. They would even bargain with the English to deprive us of them. They want to play the western lands, Mississippi, and the whole Gulf of Mexico into the hands of Spain.

Oswald talks of Pulteney and a plot to divide America between France and England. France to have New England. They tell a story about Vergennes and his agreeing that the English might propose such a division, but reserving a right to deny it all. These whispers ought not to be credited by us.

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Adams, Franklin, and Jay to Oswald.§

PARIS, *November 5, 1782.*

SIR: In answer to the letter you did us the honor to write on the 4th instant, we beg leave to repeat what we often said in conversation, viz, that the restoration of such of the estates of refugees as have been confiscated is impracticable, because they were confiscated by laws of particular States, and in many instances have passed by legal titles through several hands. Besides, sir, as this is a matter evidently appertaining to the internal polity of the separate States, the Congress, by the nature of our Constitution, have no authority to interfere with it.

As to your demand of compensation to those persons, we forbear enumerating our reasons for thinking it ill founded. In the moment of conciliatory overtures, it would not be proper to call certain scenes into view, over which a variety of considerations should induce both parties at present to draw a veil. Permit us, therefore, only to repeat that we can not stipulate for such compensation unless on your part it

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\* 3 Sparks' Dip. Rev. Corr., 696.

† In 3 J. Adams' Works, 302, at these points are given details of conference.

‡ Passage in brackets is in 3 J. Adams' Works, 303, but not in Department manuscript.

§ MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 459.

be agreed to make retribution to our citizens for the heavy losses they have sustained by the unnecessary destruction of private property.

We have already agreed to an amnesty more extensive than justice required and full as extensive as humanity could demand. We can, therefore, only repeat that it can not be extended farther. We should be sorry if the absolute impossibility of our complying further with your propositions should induce Great Britain to continue the war for the sake of those who caused and prolonged it. But, if that should be the case, we hope that the utmost latitude will not be again given to its rigors.

Whatever may be the issue of this negotiation, be assured, sir, that we shall always acknowledge the liberal, manly, and candid manner in which you have conducted it, and that we shall remain with the warmest sentiments of esteem and regard, sir, your most obedient and very humble servants,

JOHN ADAMS,  
B. FRANKLIN,  
JOHN JAY.

*Strachey to the Commissioners.\**

PARIS, *November 5, 1782.*

GENTLEMEN: Knowing the expectation of the king's ministers that a full indemnity shall be provided for the whole body of refugees, either by a restitution of their property or by some stipulated compensation for their losses, and being confident, as I have repeatedly assured you, that your refusal upon this point will be the great obstacle to a conclusion and ratification of that peace, which is meant as a solid, perfect, permanent reconciliation and reunion between Great Britain and America, I am unwilling to leave Paris without once more submitting the matter to your consideration. It affects equally, in my opinion, the honor and the humanity of your country and of ours. How far you will be justified in risking every favorite object of America by contending against those principles is for you to determine. Independence and more than a reasonable possession of territory seem to be within your reach. Will you suffer them to be outweighed by the gratification of resentment against individuals? I venture to assert that such a conduct has no parallel in the history of civilized nations.

I am under the necessity of setting out by two o'clock to-day; if the time is too short for your reconsideration and final determination of this important point, I shall hope that you will enable Mr. Oswald to despatch a messenger after me who may be with me before morning at Chantilly, where I propose sleeping to-night, or who may overtake me before I arrive in London, with a satisfactory answer to this letter.

I have the honor to be, &c.,

H. STRACHEY.

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\* 5 Sparks' Dip. Rev. Corr., 459.

## Articles taken to England by Mr. Strachey.\*

NOVEMBER 5, 1782.

Articles agreed upon by and between Richard Oswald, commissioner of his Britannic majesty for treating of peace with the commissioners of the United States of America, on behalf of his said majesty, on the one part; and John Adams, Benjamin Franklin, and John Jay, three of the commissioners of the said States, for treating of peace with the commissioner of his said majesty on their behalf, on the other part, to be inserted in, and to constitute the treaty of peace proposed to be concluded between the Crown of Great Britain and the said United States; but which treaty is not to be concluded until his Britannic majesty shall have agreed to the terms of peace between France and Britain, proposed or accepted of by his most Christian majesty, and shall be ready to conclude with him such treaty accordingly; it being the duty and intention of the United States not to desert their ally, but faithfully and in all things to abide by and fulfil their engagements with his most Christian majesty.

Whereas reciprocal advantages and mutual convenience are found by experience to form the only permanent foundation of peace and friendship between States, it is agreed to form the articles of the proposed treaty on such principles of liberal equality and reciprocity as that partial advantages (those seeds of discord) being excluded, such a beneficial and satisfactory intercourse between the two countries may be established as to promise and secure to both perpetual peace and harmony.

His Britannic majesty acknowledges the said United States, viz, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to be free, sovereign, and independent States; that he treats with them as such; and for himself, his heirs, and successors, relinquishes all claims to the Government, propriety, and territorial rights of the same and every part thereof; and that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared that the following are, and shall remain to be their boundaries, viz:

From the northwest angle of Nova Scotia, being that angle which is formed by a line drawn due north from the source of St. Croix River to the highlands which divide the rivers which empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, and along the said highlands to the northwesternmost head of Connecticut River; thence down along the middle of that river to the 45th degree

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 455. These articles were agreed to after the return of the first set, which had been sent to England October 8. (See Oswald's second commission, September 21, 1782, *supra*, note.

of north latitude, following the said latitude until it strikes the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the 31st degree of latitude north of the equator; south, by a line to be drawn due east from the termination of the line last mentioned in the latitude of the 31st degree to the middle of the river Apalachicola or Catahouchi, thence along the middle thereof to its junction with the Flint River, thence straight to the head of St. Mary's River, and thence down along the middle of St. Mary's River to the Atlantic Ocean; east, by a line from the mouth of said St. Mary's River to the mouth of the river St. Croix in the Bay of Fundy, and by a line drawn through the middle of said river to its source, and from its source directly north to the aforesaid highlands which divide the rivers which fall into the Atlantic Ocean from those which empty themselves into the river St. Lawrence, comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from points where the aforesaid boundaries of St. Croix River and St. Mary's River shall respectively touch the Bay of Fundy and the Atlantic Ocean.

It is agreed that all such royalists or refugees, as well as all such British merchants or other subjects as may be resident in any of the United States at the time of the evacuation thereof by the arms and garrisons of his Britannic majesty, shall be allowed six months thereafter to remove to any part of the world; and also, at their election, to dispose of, within the said term, or to carry with them their goods and effects. And it is understood that the said States shall extend such further favor to the said merchants, and such amnesty and clemency to the said refugees as their respective circumstances and the dictates of justice and humanity may render just and reasonable; and particularly, that amnesty and indemnity be granted to all such of the said refugees as may be unaffected by acts, judgments, or prosecutions, actually passed or commenced a month previous to such evacuation.

That the subjects of his Britannic majesty and the people of the said United States shall continue to enjoy unmolested the right to take fish of every kind on all the banks of Newfoundland, also in the Gulf of St. Lawrence, and all other places where the inhabitants of both countries used at any time heretofore to fish; and also to dry and cure their fish on the shores of the Isle of Sables, Cape Sables, and the shores of any of the unsettled bays, harbors, or creeks of Nova Scotia, and of the Magdalen Islands. And his Britannic majesty and the said United States will extend equal privileges and hospitality to each other's fishermen as to their own.

Whereas certain of the United States, excited thereto by the unnecessary destruction of private property, have confiscated all debts due from their citizens to British subjects; and also in certain instances, lands belonging to the latter; and whereas, it is just that private con-

tracts made between individuals of the two countries before the war, should be faithfully executed; and as the confiscation of the said lands may have a latitude not justifiable by the law of nations, it is agreed that British creditors shall, notwithstanding, meet with no lawful impediment to recovering the full value or sterling amount of such *bona fide* debts as were contracted before the year 1775. And also, that Congress will recommend to the said States so to correct (if necessary) their said acts respecting the confiscation of the lands in America belonging to real British subjects as to render the said acts consistent with perfect justice and equity. As to the cession made of certain lands in Georgia by a number of Indians there, on the 1st of June, 1773, for the purpose of paying the debts due from them to a number of traders, the American commissioners say that the State of Georgia is alone competent to consider and decide on the same; for that, it being a matter of internal police, with which neither Congress nor their commissioners are authorized to interfere, it must of necessity be referred to the discretion and justice of that State, who, without doubt, will be disposed to do what may be just and reasonable on the subject.

Similar reasons and considerations constrain the commissioners to give the like answer to the case of Mr. Penn's family.

From and immediately after the conclusion of the proposed treaty there shall be a perpetual and firm peace, &c. (the same as the second article in the preceding set of articles).

That the navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open.

*Separate article.*—It is hereby understood and agreed, that in case Great Britain, at the conclusion of the present war, shall be, or be put in possession of West Florida, the line of north boundary between the said Province and the United States shall be a line drawn from the mouth of the river Yazoo, where it unites with the Mississippi, due east to the river Apalachicola, and thence along the middle of that river to its junction with the Flint River, &c.

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J. Adams to H. Laurens.\*

PARIS, *November 6, 1782.*

DEAR SIR: I have the honor to enclose a resolution of Congress, of the 17th of September, enjoining upon us all attendance on the negotiations for peace, and, if it were not presumption to suppose that any thing could be added to so pressing a desire of Congress, I would beg leave to add my most earnest entreaties that you would be so good as to join us as soon as possible. It would give me the highest pleasure and be a constant support to have your judgment and advice upon the great questions which are under consideration.



I know not how to mention the melancholy intelligence by this vessel, which affects you so tenderly. I feel for you more than I can or ought to express. Our country has lost its most promising character, in a manner, however, that was worthy of the cause. I can say nothing more to you, but that you have much greater reasons to say, in this case, as a Duke of Ormond said of an Earl of Ossory, "I would not exchange my dead son for any living son in the world." With the most affecting sentiments, I have the honor to be dear sir, your most obedient and humble servant,

JOHN ADAMS.

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J. Adams to Livingston.\*

PARIS, November 6, 1782.

SIR: Two days ago arrived by Captain Barney the letters you did me the honor to write me on the 22d, 29th, 30th, triplicate of May, 4th of July, 29th of August, and 15th of September.

I was unconditionally received in Holland and promised upon record conferences and audiences whenever I should demand them, before I entered into any treaty, and without this I should never have entered into any; and full powers were given to the Committee of Foreign Affairs before I entered into any conferences with them. I have ventured upon the same principle in the affair of peace, and uniformly refused to come to Paris until our independence was unconditionally acknowledged by the king of Great Britain. Mr. Jay has acted on the same principle with Spain and with Great Britain. The dignity of the United States, being thus supported, has prevailed in Holland and Great Britain; not indeed as yet in Spain, but we are in a better situation in relation to her than we should have been if the principle had been departed from. The advice of the Count de Vergennes has been contrary; but, however great a minister he may be in his own department, his knowledge is insufficient and his judgment too often erroneous in our affairs to be an American minister.

Intelligence from Holland through France is impossible. Events in Holland can seldom be foreseen one day. When they happen they are inserted in the gazettes, transferred to the *Courrier de l'Europe* the English and French gazettes, and get to America before it is possible for me to transmit them directly. Besides, sir, I have sometimes thought that my time was better employed in doing business that might produce other events than in multiplying copies and conveyances of despatches which would contain nothing but what I knew the newspapers would announce as soon; my reputation may not be so well husbanded by this method, but the cause of my country is served. I am not insensible to reputation; but I hope it has not been a principal object. Per-

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\*MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 676, with verbal changes; 7 J. Adams' Works, 659.

haps it has not been enough an object. I see so much of the omnipotence of reputation that I begin to think so. I know very well, however, that if mine can not be supported by facts, it will not be by trumpeters.

If it were in my power to do anything for the honor of the Department or Minister of Foreign Affairs, I would cheerfully do it, because I am a friend to both; and to this end you will, I am sure, not take it amiss if I say that it is indispensably necessary for the service of Congress and the honor of the office that it be kept impenetrably secret from the French minister in many things. The office will be an engine for the ruin of the reputation of your ministers abroad, and for injuring our cause in material points, the fishery, the western lands, and the Mississippi, etc., if it is not.

I thank you, sir, for the hint about the English language. I think with you that we ought to make a point of it, and after some time I hope it will be an instruction from Congress to all their ministers.

As to the negociations for peace, we have been night and day employed in them ever since my arrival on the 26th of October. Dr. Franklin, without saying anything to me, obtained of Mr. Jay a promise of his vote\* for Mr. W. T. Franklin to be secretary to the commission for peace; and as the Doctor and his secretary are in the same house, and there are other clerks enough, I suppose he will transmit to Congress details of the negociations. I shall be ready to lend them any assistance in my power; and I will endeavor, as soon as I can, to transmit them myself; but, after spending forenoon, afternoon, and evening in discussions, it is impossible to transmit all the particulars. No man's constitution is equal to it.

The English have sent Mr. Oswald, who is a wise and good man and if untrammelled would soon settle all, and Mr. Strachey, who is a keen and subtle one, although not deeply versed in such things, and a Mr. Roberts, who is a clerk in the board of trade, and Mr. Whithead, who is private secretary to Mr. Oswald. These gentlemen are very profuse in their professions of national friendship, of earnest desires to obliterate the remembrance of all unkindnesses, and to restore peace, harmony, friendship, and make them perpetual by removing every seed of future discord. All this on the part of Mr. Oswald, personally, is very sincere. On the part of the nation it may be so in some sense at present; but I have my doubts whether it is a national disposition, upon which we can have much dependence, and, still more, whether it is the sincere intention of the Earl of Shelburne.

He has been compelled to acknowledge American independence be-

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\* This proved to be an error. Mr. Jay wrote to Dr. Franklin on the 26th of January, 1783, as follows: "It having been suspected that I concurred in the appointment of your grandson to the place of secretary to the American commission for peace, at *your instance*, I think it right thus unsolicited to put it in your power to correct the mistake," etc. See the whole letter *infra* under that date.

cause the Rockingham administration had resolved upon it, and Carleton and Digby's letter to General Washington had made known that resolution to the world; because the nation demanded that negotiations should be opened with the American ministers, and they refused to speak or hear until their independence was acknowledged unequivocally and without conditions; because Messrs. Fox and Burke had resigned their offices, pointedly, on account of the refusal of the king and my Lord Shelburne to make such an acknowledgment; and these eloquent senators were waiting only for the session of Parliament to attack his lordship on this point; it was, therefore, inevitable to acknowledge our independence, and no minister could have stood his ground without it. But still I doubt whether his lordship means to make a general peace. To express myself more clearly, I fully believe he intends to try another campaign, and that he will finally refuse to come to any definitive agreement with us upon articles to be inserted in the general peace.

We have gone the utmost lengths in our power to favor the negotiations. We have at last agreed to boundaries with the greatest moderation. We have offered them the choice of a line through the middle of all the great lakes, or the line of 45 degrees of latitude, the Mississippi, with a free navigation of it at one end and the river St. Croix at the other. We have agreed that the courts of justice be opened for the recovery of British debts due before the war, to a general amnesty for all the royalists against whom there is no judgment rendered or prosecution commenced. We have agreed that all the royalists who may remain at the evacuation of the States, shall have six months to sell their effects and to remove with them.

These are such immense advantages to the minister that one would think he could not refuse them. The agreement to pay British debts will silence the clamors of all the body of creditors and separate them from the tories, with whom they have hitherto made common cause. The amnesty and the term of six months will silence all the tories except those who have been condemned, banished, and confiscated; yet I do not believe they will be accepted.

I fear they will insist a little longer upon a complete indemnification to all the refugees, a point which, without express instructions from all the States, neither we nor Congress can give up; and how the States can ever agree to it I know not, as it seems an implicit concession of all the religion and morality of the war. They will also insist upon Penobscot as the eastern boundary. I am not sure that the tories and the ministry and the nation are not secretly stimulated by French emissaries to insist upon Penobscot and a full indemnification to the tories. It is easy to see that the French minister, the Spanish and the Dutch ministers would not be very fond of having it known through the world that all points for a general peace were settled between Great Britain and America before all parties are ready. It is easy to com-

prehend how French, Spanish, and Dutch emissaries in London, in Paris and Versailles, may insinuate that the support of the tories is a point of national and royal honor, and propagate so many popular arguments in favor of it as to embarrass the British minister. It is easy to see that the French may naturally revive their old assertions that Penobscot and Kennebec are the boundary of Nova Scotia, although against the whole stream of British authorities and the most authentic acts of the governors, Shirley, Pownal, Bernard, and Hutchinson. Mr. Fitzherbert, who is constantly at Versailles, is very sanguine for the refugees. Nevertheless, if my Lord Shelburne should not agree with us these will be only ostensible points. He cares little for either. It will be to avoid giving any certain weapons against himself to the friends of Lord North and the old ministry.

The negotiations at Versailles between the Count de Vergennes and Mr. Fitzherbert are kept secret, not only from us but from the Dutch ministers, and we hear nothing about Spain. In general, I learn that the French insist upon a great many fish. I dined yesterday with M. Berkenrode, the Dutch ambassador, and M. Brantzen, his colleague. They were both very frank and familiar, and confessed to me that nothing had been said to them, and that they could learn nothing as yet of the progress of the negociation. Berkenrode told me as an honest man that he had no faith in the sincerity of the English for peace as yet; on the contrary, he thought that a part of Lord Howe's fleet had gone to America, and that there was something meditated against the French West India islands. I doubt this, however; but we shall soon know where my Lord Howe is. That something is meditating against the French or Spaniards, and that they think of evacuating New York for that end, I believe. Berkenrode seemed to fear the English, and said like a good man that in case any severe stroke should be struck against France it would be necessary for Holland and America to discover a firmness. This observation had my heart on its side; but without an evacuation of New York they can strike no blow at all, nor any very great one with it.

Mr. Oswald has made very striking overtures to us; to agree to the evacuation of New York; to write a letter to General Washington and another to Congress advising them to permit this evacuation, to agree that neither the people nor the army should oppose this evacuation or molest the British army in attempting it; nay, further, that we should agree that the Americans should afford them all sorts of aid, and even supplies of provisions. These propositions he made to us in obedience to an instruction from the minister, and he told us their army were going against West Florida to re-conquer that from the Spaniards. Our answer was that we could agree to no such things; that General Washington could enter into a convention with them for the terms upon which they should surrender the city of New York and all its dependencies, as Long Island, Staten Island, &c., to the arms of the United

States. All that we could agree to was that the effects and persons of those who should stay behind should have six months to go off, nor could we agree to this unless as an article to be inserted in the general peace.

I have the honor to be, &c.,

JOHN ADAMS.

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J. Adams to Morris.\*

PARIS, *November 6, 1782.*

SIR: Captain Barney arrived here on the 5th instant with the letters you did me the honor to write me on the 23d, 25th, 27th September and 7th of October. Captain Barney shall have all the attention due to his character and recommendation. Mr. Paulus has not asked the kind of assistance you mention in my name, I hope; in all such cases I mean only an introduction and to ask the hospitality which you delight to show to strangers. I have transmitted from The Hague my accounts some time ago, which I presume have arrived before now. I have not transmitted the account of the bills I accepted in Holland, having transmitted them from time to time to Dr. Franklin, who paid them, and will consequently transmit them as his vouchers and in his accounts. I will, however, transmit them upon my return to The Hague if it is necessary, but there is nobody now there who can do it and I can not do it here.

Your arrangement by which I was to draw upon Dr. Franklin for my salary, I suppose, was made upon a supposition that I had obtained no money in Holland. I can not do this without an additional and unnecessary commission to the Doctor's banker, and therefore would wish to receive it from Messrs. Willink, &c., at Amsterdam. The Doctor, so far from having cash to pay my salary, is calling upon me to pay the interest of the French loan of ten millions in Holland, and even to pay bills you draw upon him. I must, however, obey the resolutions of Congress, and have as little to do with money as possible.

I am much obliged to you for the copies of your letters to Congress and to Doctor Franklin. They are masterly performances, and let us far into the state of our affairs. I have communicated them to the Marquis de la Fayette, and propose to consult with the Doctor upon them immediately. I would return to Holland and apply to the States if necessary, but I can not rely upon any influence of my own; nor, what is much greater, the influence of our cause, or the common cause, enough to give you hopes of success. If you suppose that my loan of five millions is full, you are mistaken. The direction will inform you how much is obtained, not yet two millions of guilders, to be sure; I fear not more than one and a half. There are so many loans open for France, Spain,

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\*7 J. Adams' Works, 656.

England, Russia, and almost every other power for the States-General, the States of the separate provinces, the East and West India companies, several of which are under the warranty of the States, and these are pushed with such art and ardor that I can not promise you any success. There is scarcely a guilder but what is promised beforehand. France and Spain as well as England are so pressed for money that I know not what to hope for. The king of Great Britain has acknowledged the sovereignty of the United States, but whether anything more will follow from it than a few efforts to get something to excuse the further prosecution of the war and to silence clamors I know not. It is to me very clear that the British ministry do not intend to make a peace with France, Spain, and Holland this year, and America will not make a separate peace if England would come to her terms, which, in my present opinion, the present minister does not intend. The probability is that he intends to evacuate New York, but whether to go against the French or Spaniards is the question. If the French and Spaniards permit them to evacuate New York, a good riddance for us; but they will do mischief, or at least give trouble, and cause great expense. France might have taken them all prisoners with the utmost certainty and ease, but chose to go against Jamaica and Gibraltar, and met with the success that every man who knew those places and the attachment of the English to them foresaw.

With great esteem, I have the honor to be, &c.,

JOHN ADAMS.

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Adams, Franklin, and Jay, to Strachey.\*

PARIS, *November 6, 1782.*

SIR: We have been honored with your favor of the 5th instant, and as our answer to a letter we received from Mr. Oswald on the same subject contains our unanimous sentiments respecting it, we take the liberty of referring you to the enclosed copy of that answer.

We have the honor to be, &c.,

JOHN ADAMS,  
B. FRANKLIN,  
JOHN JAY.

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Livingston to J. Adams.†

PHILADELPHIA, *November 6, 1782.*

SIR: The scene of action is so entirely transferred to your side of the Atlantic, that scarce any occurrence among us at present is sufficiently interesting to furnish matter for a public letter.

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\* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 460.

† MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 680.



The resolutions, which have from time to time evinced the steady determination of Congress, in no event to relinquish the great object of the war, or think of peace but in connexion with their allies, have been already transmitted to you. The military force on both sides is perfectly inactive. By the enclosed extracts from General Carleton's and General Washington's letters, you will see that the first is so bent on peace, that notwithstanding the opinion of his superiors, he does not see that the war has any longer an object. It is high time that he disavows them, for their conduct is a direct disavowal of him.

The clauses of the commission to Mr. Fitzherbert, which are designed to include us, are strong indications of the extreme reluctance of the British to give up their supposed dominion over this country. You have great credit with me for the judgment you have formed from time to time of the court of Great Britain, though your opinions sometimes run counter to those generally received.

Nothing can be more conformable to our wishes than the instructions you transmitted. Keep up that spirit in ———, and we have nothing to fear from that quarter but lengthy negotiations, even after they shall commence in earnest.

We have yet no accounts of the evacuation of Charleston, and that event begins daily to grow more uncertain. Such is the inconstancy of the enemy that one may as well predict what appearances a cloud will put on two hours hence, by our knowledge of the wind, as reduce their conduct to any settled shape by knowing their profession. Our troops have gone into winter quarters at West Point.

The French have marched to the eastward to be nearer their fleet, which lies at Boston. Part of the British fleet, consisting of fourteen sail of the line, and eight frigates, including a ship of forty guns, sailed from New York the 26th ultimo. They have such a decided superiority in the American seas, that if they had correspondent land forces, or even knew how to apply those they keep cooped up in America, they might render themselves very formidable in the West Indies. This, however is, I hope, an evil which will be ere long remedied.

Bills for the amount of your salary from Jannary last have been regularly transmitted to Doctor Franklin. You will receive with this the amount of the last quarter, ending the 1st of October. Mr. Morris, my secretary, will enclose you a state of your accounts. I shall be glad if you would acknowledge the receipt of these moneys as they come to hand, since I stand charged with them on the Treasury books.

The enclosed resolution will show you that Mr. Boudinot has succeeded Mr. Hanson as president of Congress.

I have the honor to be, &c.,

ROBERT R. LIVINGSTON.

## Luzerne to Washington.\*

[Translation.]

PHILADELPHIA, *November 6, 1782.*

SIR: I duly received the letter your excellency honored me with on the 25th ultimo relative to Captain Asgill. It appears that Congress are favorably disposed respecting him, but they have not yet passed any resolution on that head. When they do, I doubt not it will be favorable.

I have seen with much pleasure a proclamation of the governor of the State of New York to prevent sending provisions to the enemy. The accounts I have recently received on that subject from the States of Jersey and Connecticut, give me more pain than I can express. They are positive, and from people who had ocular demonstration; they prove that the enemy's fleet could not have quitted New York for some time if they had not received immense quantities of provisions, living and dead. This commerce is carried on regularly and openly, as if it were peace, or as if the cattle were for your army. Your excellency knows how important the despatch or detention in fitting out fleets is, and I know the efforts you have made to put a stop to this destructive commerce. I must, however, entreat you, sir, to use your influence with the governors of Jersey and Connecticut to adopt such measures as may prove efficacious. I am sure there is not a single good citizen in America who is not hurt at seeing the enemy thus furnished from this continent, and thereby enabled to distress us in the West Indies.

I have the honor to be, etc.,

LUZERNE.

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 Franklin to Livingston.†
PASSY, *November 7, 1782.*

SIR: The Baron de Kermelin, a Swedish gentleman of distinction, recommended strongly to me by his excellency, the ambassador of that nation to this court, as a person highly esteemed in his own, purposes a journey through North America to view its natural productions, acquaint himself with its commerce, and acquire such information as may be useful to his country in the communication and connexion of interests that seem to be growing and probably may soon become considerable between the two nations. I therefore beg leave to introduce him to you, and request that you would present him to the President

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\* 6 Sparks' Dip. Rev. Corr., 96.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 386; 9 Sparks' Franklin, 425; 8 Bigelow's Franklin, 202.

of Congress and to such other persons as you shall think may be useful to him in his views, and I recommend him earnestly to those civilities which you have a pleasure in showing to strangers of merit.

I have the honor to be, &c.,

B. FRANKLIN.

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Livingston to Dana. \*

PHILADELPHIA, *November 7, 1782.*

DEAR SIR: Since my last, a duplicate of which goes with this, I have been favored with yours of March 5th and June 28th, by which I find some of the inquiries made in my last answered. The reasons you have given for not having taken any steps to display your public character are judicious, and I hope will continue to influence your conduct till you see the moment in which with the advice of your correspondent you may do it to advantage.

You will continue to give us the politics of the court you are at and of every other from which you can collect any authentic information, which the enclosed resolution of the 17th of October makes more peculiarly your duty.† I hope you have received the cipher I sent to Mr. Adams for you. Lest you should not, I enclose one. If you have received either of the others use the large printed one, which you will find much safer than the other, as well as more easy in the practice. The large one is also designed as a common cipher between Mr. Adams and you. So that you may communicate freely with each other, from which you may find mutual advantages.

I also enclose several resolutions of Congress declaratory of their determination in no event to conclude a peace without the concurrence of their allies. As it is for the honor of the United States that their sentiments on this subject should be known, you will make such communication of them as your prudence will direct. In my last you have a copy of Carleton and Digby's letter to General Washington, in which they say that they are authorized to declare that his Britannic majesty has proposed the unconditional independence of America as preliminary to a peace. This change in the British system places them in a truly contemptible light, since it is a direct disavowal of their assertion. Carleton seems to feel this, if we may judge by some expressions in the extracts I enclose you. [How miserable a state is it for a man of spirit and sentiment to serve a master he is ashamed of!‡]

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\* MSS. Dep. of State; 4 Sparks' Dip. Rev. Corr., 648, with verbal changes and omissions.

† "Resolved, That the Secretary of Foreign Affairs inform the several ministers of the United States in Europe that it is the desire and the express direction of Congress that they transmit full and frequent communications as well of the proceedings of the courts at which they respectively reside as those which relate to the negotiations for peace, and also of all such other transactions and events as may in any manner concern the United States."

‡ Passage in brackets omitted in Sparks' ed.

The campaign here is brought to a close, the army have gone into winter quarters; the summer has passed in perfecting their discipline and establishing a variety of arrangements, which rendered them, in the opinion of well-informed foreign officers, equal in every point to the best troops in Europe. The enemy are so perfectly conscious of this, that they have never ventured beyond their lines, which they have contracted considerably. We can not yet hear that Charleston is evacuated, though many arrangements had long since been made for that purpose; it is not improbable that the late change in the British system has occasioned a change of sentiment upon this point, even after their annunciation of such a design had driven out their partizans to take protection from us and enlist under our banner which was insisted upon as a condition precedent to their being received into favor.

The enclosed resolution will inform you of the appointment of Mr. Boudinot to the rank of president in the room of Mr. Hanson, whose year had expired. The public prints which accompany this will furnish you with some articles of intelligence, which you may find interesting. I informed you some time ago that the salaries of our ministers would in future be paid here, and I requested you to appoint an agent to receive yours. The expense to which this would put you being  $2\frac{1}{2}$  per cent. would be amply compensated by the profit on the purchase of bills and the regularity of payment. I have taken upon me to act as your agent till I hear from you, and my secretary, Mr. Morris, has hitherto transmitted bills to you on Dr. Franklin, on your account, bought at the rate of six shillings and three pence this money for five livres, which makes a saving to you of about twelve per cent. A letter from him containing a state of your account and bills for the last quarter due will be sent with this.

I wish you to appoint an agent here, or direct me to appoint one for you, as this is a troublesome business to me, particularly while I act without knowing your sentiments on this subject. I have been induced to undertake it at the pressing instance of the superintendent of the finances and to render your payments more regular than I fear they have hitherto been. No provision is made for your contingent expenses, nor can there be till you send me an account of them.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

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J. Adams to Dana.\*

PARIS, *November* 8, 1782.

DEAR SIR: The King of Great Britain, by patent, under the great seal of his kingdom, has created Richard Oswald, esq., to be his minister plenipotentiary to treat with the ministers of the United States of

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\* 7 J. Adams' Works, 665.

America. Thus Great Britain is the third power in Europe to acknowledge our independence. She can no longer, therefore, contend that it is a breach of the armed neutrality, or an hostility against her, to acknowledge American independence. This is so essential a change in the state of things, that I think, and Mr. Jay thinks, you will now have a reasonable ground to expect success. The King of Sweden has, some time ago, made some advances to treat with Dr. Franklin, and Congress have sent him a commission to treat with that prince. I see not why neutral vessels may not go freely to America now. You will not mention my name in these matters, but in confidence. Jay is as you would wish him, wise and firm.

I am directed by an order of Congress, signified to me by their secretary at war, to transmit them a state of the pay, rations, and subsistence of the troops of the States-General of Russia, Prussia, and all the northern powers. Will you be so good as to assist me in this? My love to your ward.

Sincerely yours,

JOHN ADAMS.

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J. Adams to Livingston.\*

PARIS, *November 8, 1782.*

SIR: In one of your letters you suppose that I have an open avowed contempt of all rank. Give me leave to say you are much mistaken in my sentiments. There are times, and I have often seen such, when a man's duty to his country demands of him the sacrifice of his rank, as well as his fortune and life, but this must be an epoch, and for an object worthy of the sacrifice. In ordinary times the same duty to his country obliges him to contend for his rank as the only means, indeed, sometimes, by which he can do service, and the sacrifice would injure his country more than himself. When the world sees a man reduced to the necessity of giving up his rank merely to serve the public, they will respect him, and his opinions will have the more weight for it; but when the same world sees a man yield his rank for the sake of holding a place, he becomes ridiculous. This, you may depend upon it, will not be my case.

Ranks, titles, and etiquettes, and every species of punctilios, even down to the visits of cards, are of infinitely more importance in Europe than in America, and therefore Congress can not be too tender of disgracing their ministers abroad in any of these things, nor too determined not to disgrace themselves. Congress will, sooner or later, find it necessary to adjust the ranks of all their servants with relation to another, as well as to the magistrates and officers of the separate governments.

For example, if, when Congress abolished my commission to the King

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\* 3 Sparks' Dip. Rev. Corr., 682; 8 J. Adams Works, 3.

of Great Britain, and my commission for peace and issued a new commission for peace, in which they associated four other gentlemen with me, they had placed any other at the head of the commission, they would have thrown a disgrace and ridicule upon me in Europe that I could not have withstood. It would have injured me in the minds of friends and enemies, the French and Dutch, as well as the English.

It is the same thing with the States. If Mr. Jay and I had yielded the punctilio of rank and taken the advice of the Count de Vergennes and Doctor Franklin, by treating with the English or Spaniards before we were put upon the equal footing that our rank demanded, we should have sunk in the minds of the English, French, Spaniards, Dutch, and all the neutral powers. The Count de Vergennes certainly knows this; if he does not he is not even an European statesman; if he does know it, what inference can we draw but that he means to keep us down if he can—to keep his hand under our chin to prevent us from drowning, but not to lift our heads out of water?

The injunctions upon us to communicate and to follow the advice that is given us seem to be too strong and too universal. Understood with reasonable limitations and restrictions, they may do very well. For example, I wrote a speculation and caused it to be printed in the *Courier du Bas Rhine*, showing the interest, policy, and humanity of the neutral confederation's acknowledging American independence and admitting the United States to subscribe to the principles of their marine treaty. This was reprinted in the Gazette of Leyden, the *Politique Hollandaïs*, the *Courier de l'Europe*, and all the Dutch gazettes. At the same time I caused to be transmitted to England some pieces on the same subject, and further showing the probability that the neutral powers might adopt this measure, and the impolicy of Great Britain in permitting all the powers of Europe to get the start of her, and having more merit with America than she by acknowledging her independence first. These pieces were printed in the English papers in the form of letters to the Earl of Shelburne, and can never be controverted, because they are in writing and in print, with their dates. These fears, thus excited, added to our refusal to treat on an unequal footing, probably produced his lordship's resolution to advise the king to issue the commission, under the great seal, to Mr. Oswald, by which Great Britain has got the start and gone to the windward of the other European powers. No man living but myself knew that all these speculations in various parts of Europe came from me. Would it do for me to communicate all this to the French ministers? Is it possible for me to communicate all these things to Congress? Believe me, it is not, and give me leave to say it will not do to communicate them to my friend the Chevalier de la Luzerne nor my friend M. Marbois. If they should be, long letters will lay all open to the Count de Vergennes, who, I assure you, I do not believe will assist me or anybody else in such measures of serving our country. When the French ministers in America or Europe communi-



cate everything to us, we may venture to be equally communicative with them. But when everything is concealed from us more cautiously than it is from England, we shall do ourselves injustice if we are not upon our guard.

If we conduct ourselves with caution, prudence, moderation, and firmness we shall succeed in every great point; but if Congress or their ministers abroad suffer themselves to be intimidated by threats, slanders, or insinuations, we shall be duped out of the fishery, the Mississippi, and much of the western lands, compensation to the tories, and Penobscot, at least, if not Kennebec. This is my solemn opinion, and I will never be answerable to my country, posterity, or my own mind for the consequences that might happen from concealing it.

It is for the determinate purpose of carrying these points that one man, who is submission itself, is puffed up to the top of Jacob's ladder in the clouds and every other man depressed to the bottom of it in the dust. This is my opinion; let me be punished for it, for assuredly I am guilty.

With great respect, &c.,

JOHN ADAMS.

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Franklin to Vergennes.\*

PASSY, *November 8, 1782.*

SIR: The Congress disregarding the proposals made by Sir Guy Carleton, and determined to continue the war with vigor till a peace can be obtained satisfactory as well to the king as to themselves (as will appear by their resolves hereto annexed); but being disabled by the great deficiency in their taxes, arising from various temporary causes, have found it absolutely necessary to borrow another sum in Europe, which they have accordingly directed me to endeavor by all means possible. The necessity of this measure is so clearly expressed in the letters of Mr. Morris, their financier, and Mr. Livingston, their secretary, which are subjoined, that there is little occasion for any remarks of mine; I shall, therefore, only observe that from what part in some of the last conferences we had with the English negotiators here, I apprehend peace to be still at a distance, and that another campaign can scarcely be avoided; our enemies being well informed of our present distress for want of money, and conceiving great hopes that we shall no where find a supply. The Congress, on this important occasion, have therefore sent a packet boat express with their orders to me to implore the aid of his majesty, our friend and father, which I hereby do most earnestly, from a full conviction that unless the loan is obtained our army can neither be kept up nor safely disbanded.

With the greatest respect, I am, sir, your excellency's.

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\* Franklin MSS., Dep. of State.

Livingston to H. Laurens.\*

PHILADELPHIA, *November 8, 1782.*

SIR: Your letter of the 5th of September, directed to the President of Congress, was received, and referred in course, to this office. If my letter of the 17th of September last, containing their resolution not to accept your resignation has reached you, I hope you will acquiesce in their determination, and see the propriety of remaining in France till their further order. In this expectation I have drawn for your last quarter's salary. The bills will be sent you, with a state of your account, by Mr. Lewis Morris. A duplicate of my last letter, with the resolution above referred to, will accompany this.

I send Mr. Franklin such resolutions as refer to general objects, which may be of use to you in conducting your negotiations, presuming that he will communicate freely with you. There will be no necessity while you are together, of multiplying them. With respect to our affairs here, they have undergone no change. The number of resolutions passed by Congress and the different States (copies of which have been transmitted to our ministers), serve to show the fixed and unalterable determination of the rulers and the people, on this side of the water, to adhere inviolably to their engagements. This will, I hope, open the eyes of the British, and show them the vanity of expecting to dissolve a confederacy which is founded in mutual interest and honor.

With respect to intelligence, we have little of importance. The army is gone into winter quarters. The fleet, under the command of the Marquis de Vaudreuil, still remains at Boston. Fourteen sail of the line and eight frigates left New York the 26th ultimo. We have yet no account of the evacuation of Charleston, though we have long expected it. I can not turn my eyes to that quarter without offering you my sincerest condolence on the untimely death of the gallant Colonel Laurens. It is not easy for those who knew his value to offer consolation. When time shall have turned the keen edge of your afflictions, you may find some mitigation of it in the cause and manner of his death, in the services he has rendered his country, and in the honor which he reflects on all who were connected with him.

I am, sir, with respect and esteem, &c.,

ROBERT R. LIVINGSTON.

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Luzerne to Dillon, Governor of St. Christophers.†

[Translation.]

PHILADELPHIA, *November 8, 1782.*

SIR: I have the honor of sending you a copy of the depositions of some sailors of the brig *Lætitia*. I entreat you to be pleased to cause an examination to be made into this affair, for which they have pre-

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\* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 726, with verbal changes.

† 6 Sparks' Dip. Rev. Corr., 97.

sented a memorial to Mr. Livingston, minister of the United States for foreign affairs, who has sent it to me in order that I might transmit it to you. I have assured that minister that he may rely upon your justice and care, that such restitution shall be made to the plaintiffs as after the investigation into the affair they shall seem justly entitled to.

I have the honor to be, &c.,

LUZERNE.

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[The following is an extract from a letter from Mr. Strachey (British peace commissioner), to Mr. Townshend, secretary of state, dated Calais, November 8, 1782, Mr. Strachey being on his return to London, and the letter being explanatory of the reasons leading the British commissioners to concur in the treaty:]

*No. 3. Newfoundland Fishery.*

That the people of the said United States shall continue to enjoy unmolested the right of fishing on the banks of Newfoundland in the manner they have hitherto used, without anchorage, but by drift.

*No. 4. Observations respecting the article of the fishery.*

Since Mr. Adams came here the commissioners have taken more notice of the refusal of admitting their having the privilege of drying in Newfoundland than I expected from what they told me, at settling the plan of treaty which was sent to England. But at last after a great deal of conversation at different times on that subject, it was agreed to be left out, upon condition of their being allowed to dry upon any of the unsettled parts of the coast of Nova Scotia, when they happened to be so far from home as that their fish might run some risk of being spoilt before they reached their own shores.

Dr. Franklin said he believed it would be only on such occasions that they would use that privilege, and even then it would be only for a partial drying and salting, so as to prevent the fish spoiling before they went home and delivered them to their wives and children to complete and finish the drying.

He also said, I observe as to *catching fish* you mention only the banks of Newfoundland; why not all other places, and amongst others the Gulf of St. Lawrence? Are you afraid there is not fish enough, or that we should catch too many; at the same time that you know that we shall bring the greatest part of the money we get for that fish to Great Britain to pay for your manufactures? He agreed it might be proper not to have a mixture of their people with ours for drying on Newfoundland, but supposed there would be no inconveniency in throwing on shore their fish for a few days, on an unsettled beach, bay, or harbor on the coast of Nova Scotia.

I am sorry that I should have given occasion to so much trouble on

this head, by trusting to what was said by the commissioners as not being so positive in the matter but what they would give up the point if objected to at home, and have now only to submit it to consideration whether it will not be proper to allow of drying in Nova Scotia and also to let the clause regarding the catching of fish be so expressed as not to appear as if we are afraid of the Americans extending that branch of commerce as far as they incline to pursue it, since I really believe they will not like it, and that it will not be an easy matter to restrain them, if we should incline to do so.

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**Adams' Journal of Peace Negotiations.—Continued.\***

NOVEMBER 9, 1782.

M. de la Fayette came in and told me he had been at Versailles, and in consultation about the affair of money, as he and I agreed he should. He said he found that the Count de Vergennes and their ministry were of the same opinion with me, that the English were determined to evacuate New York. After some time he told me, in a great air of confidence, that he was afraid the Count took it amiss that I had not been to Versailles to see him. The Count told him that he had not been officially informed of my arrival, he had only learned it from the returns of the police. I went out to Passy to dine with Mr. Franklin, who had been to Versailles and presented his memorial and the papers accompanying it. The Count said he would have the papers translated to lay them before the King, but the affair would meet with many difficulties. Franklin brought the same message to me from the Count, and said he believed it would be taken kindly if I went. I told both the Marquis and the Doctor that I would go to-morrow morning.

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**Luzerne to Carleton.†**

[Translation.]

PHILADELPHIA, *November 9, 1782.*

SIR: By a letter I have this moment received from New York I am informed that M. de la Touche is yet prisoner on board the *Lion* or on Long Island. I should be extremely glad if he could be exchanged immediately, promising to return the first officer of the same rank who shall fall into our hands; or if that favor can not be obtained, that he may be permitted to come to Philadelphia for some time. I am well aware that this matter is not properly in your department, but the

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\* 3 Sparks' Dip. Rev. Corr., 697.

† 6 Sparks' Dip. Rev. Corr., 98.

actual circumstance of the affair, and the letter of Commodore Elphinston to Baron Viomenil, must give weight to your recommendation if you will please to employ it.

I have the honor to be, &c.

LUZERNE.

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Luzerne to Carleton.\*

[Translation.]

PHILADELPHIA, *November 9, 1782.*

SIR: It is with much pleasure that I now have the honor to enclose you the resolution of Congress in favor of Captain Asgill.† I am well persuaded that your justice and humanity will induce you to prevent in future the excesses that gave rise to this disagreeable affair.

I shall send this resolution to France by different opportunities, and hope it will be forwarded immediately to Lady Asgill and put an end to the anxiety she has suffered on account of her son. But as it is possible that my letter may arrive later than yours, I beg you, sir, to transmit also by the first opportunity. I shall solicit General Washington to permit Captain Asgill to return to Europe on his parole, that Lady Asgill may have her joy complete, and if possible, be recompensed for the alarm she has been so long in.

Receive the assurance, &c., &c.,

LUZERNE.

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\* 6 Sparks' Dip. Rev. Corr., 97.

† IN CONGRESS, *November 7, 1782.*

“On the report of a committee, to whom were referred a letter of the 19th of August from the Commander-in-Chief, the report of a committee thereon, and also another of the 25th of October from the Commander-in-Chief, with the copy of a letter to him from the Count de Vergennes, dated the 29th of July last, interceding for Captain Asgill:

“*Resolved*, That the Commander-in-Chief be, and he is hereby, directed to set Captain Asgill at liberty.

NOVEMBER 8.

“*Resolved*, That the Commander-in-Chief be instructed to call, in the most pointed terms, on the British commander at New York to fulfil his engagement contained in his letter of the 13th day of August last, ‘to make further inquisition into the murder of Captain Huddy, and to pursue it with all the effect which a due regard to justice will admit.’

“*Resolved*, That to prevent any misconstruction which may arise from the resolution directing Captain Asgill to be set at liberty, it be declared, and it is hereby declared, that the Commander-in-Chief, or commander of a separate army, is, in virtue of the powers vested in them respectively, fully authorized and empowered, whenever the enemy shall commit any act of cruelty or violence, contrary to the laws or usage of war, to demand adequate satisfaction for the same; and in each case, if such satisfaction shall not be given in a reasonable or limited time, or shall be refused or evaded under any pretence whatever, to cause suitable retaliation forthwith to be made; and the United States in Congress assembled will support them in such measures.”

Livingston to Franklin.\*

PHILADELPHIA, *November 9, 1782.*

DEAR SIR: Mr. Stewart informing me that he shall set out to-morrow for Paris, will be the bearer of this, and duplicates of my last letters. The want of time will prevent my sending Mr. Jay duplicates of the resolutions formerly enclosed to him, which will be the more unnecessary as you will communicate those you receive with this, if my former letters containing them have not reached him.

We are much flattered by the proposals of Sweden, and feel all the force of its minister's observations; every new acknowledgment lays the foundation of others, and familiarizes Great Britain with the idea of acknowledging us as sovereign and independent. I feel some pleasure, too, in thinking that you are to be the instrument of procuring us new connexions, and beg leave to remind you of another which calls upon your attention, though it seems to have been forgotten in the hurry of business. I mean that with the states of Barbary. The good dispositions of the court of France towards us, and the enlarged policy by which their measures are actuated, together with the coolness that at present subsists between the Emperor of Morocco and Great Britain (if we are well informed), seem to point out this as the favorable moment for making ourselves known to him. As Mr. Jay is now with you, I wish you would consult upon the means of bringing this about, so that we may not be shut out of the Mediterranean in future.

I know you will start a very obvious objection. But as this can only be removed by your influence where you now are, we rely upon you for the means as well as for the manner of treating. I have not thought it necessary to say anything to Congress on this subject, nor shall I, till you give me hopes that something may be done in it.

The only political object of a general nature that has been touched upon in Congress since my last, is the exchange of prisoners, which seems at present to be as far as ever from being effected. The propositions on the side of the enemy were to exchange seamen for soldiers, they having no soldiers in their hands; that the soldiers so exchanged should not serve for one year against the United States; that the sailors might go into immediate service; that the balance of the soldiers in our hands should be given up at a stipulated price. Congress rejected this proposal as unequal; as letting loose a force which might be employed against our allies in the West Indies; as making no provision for the payment of the large balance due to us for the maintenance of prisoners. They further required that General Carleton should explicitly declare that the powers he gives to his commissioners for negotiating an exchange are derived from the king of Great Britain, so that any engagement for the payment of the debt they have incurred may be considered as binding upon the nation. With respect to Mr.

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\* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 386, with verbal changes.



Laurens they have come to no decided opinion; the committee to whom it was referred reporting that,

“With respect to the information contained in the extract of Sir Guy Carleton’s and Admiral Digby’s letter of the 2d of August, *‘that after Mr. Laurens was discharged, he declared that he considered Lord Cornwallis as freed from his parole,’* your committee conceive it sufficient to observe, that no intimation having been received of such a fact, except from the said extract, and Congress having given no directions to that purpose, the consideration thereof would in their opinion be premature, and ought therefore to be deferred.” Since which, though letters have been received from Mr. Laurens, they have come to no resolution, unless their direction to him to proceed in the business of his mission may be considered as such.

General Carleton has sent out the trial of Lippincott, which admits the murder of Huddy, but justifies Lippincott under an *irregular* order of the board of refugees. So paltry a palliation of so black a crime would not have been admitted, and Captain Asgill would certainly have paid the forfeit for the injustice of his countrymen, had not the interposition of their majesties prevented. The letter from the Count de Vergennes is made the groundwork of the resolution passed on that subject. I shall transmit you the resolve.

I suppose I need not tell you, that the enemy contrived to get off the *Eagle*, and to carry her to New York. You will find in the enclosed papers a very polite letter from Captain Elphinston; it is easier to be so in word than in deed among the British. Digby has refused to permit him to comply with his engagement, at least so far as his share of the prize is concerned, and insists upon dividing the baggage of the officers, and sharing the eighth shirt, the pair of breeches, etc.

On the 4th instant, Mr. Boudinot was elected president in the room of Mr. Hanson, whose term of service had expired. Mr. Lewis Morris will enclose bills purchased here at six shillings and three pence, currency, for five livres, to the amount of your last quarter’s salary, ending the first of October.

I have the honor to be, sir, &c.,

ROBERT R. LIVINGSTON.

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Adams’ Journal of Peace Negotiations—Continued.\*

NOVEMBER 10, 1782.

Accordingly, at eight this morning, I went and waited on the Count. He asked me how we went on with the English. I told him we divided upon two points, the Tories and Penobscot, two ostensible points; for it was impossible to believe that my Lord Shelburne, or the nation, cared much about such points. I took out of my pocket and showed

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\* 3 Sparks’ Dip. Rev. Corr., 697.

him the record of Governor Pownal's solemn act of burying a leaden plate with this inscription: "May 23d, 1759. Province of Massachusetts Bay. Penobscot dominions of Great Britain. Possession confirmed by Thomas Pownal, governor." This was planted on the east side of the river Penobscot, three miles above marine navigation. I showed him also all the other records, the laying out of Mount Desert, Machias, and all the other towns to the east of the Penobscot River, and told him that the grant of Nova Scotia, by James the First, to Sir William Alexander, bounded it on the river St. Croix, and that I was possessed of the authorities of four of the greatest governors the King of England ever had, Shirley, Pownal, Bernard, and Hutchinson, in favor of our claim, and of learned writings of Shirley and Hutchinson in support of it. The Count said that Mr. Fitzherbert told him they wanted it for the masts. But the Count said that Canada had an immense quantity. I told him I thought there were few masts there, but that I fancied it was *not masts, but Tories*, that again made the difficulty. Some of them claimed lands in that territory, and others hoped for grants there.

The Count said it was not astonishing that the British ministry should insist upon compensation to them, for that all the precedents were in favor of it; that there had been no example of an affair like this terminated by a treaty, without re-establishing those who had adhered to the old government in all their possessions. I begged his pardon in this, and said, that in Ireland at least there had been a multitude of confiscations without restitution. Here we ran into some conversation concerning Ireland, &c. M. Rayneval, who was present, talked about the national honor, and the obligation they were under to support their adherents. Here I thought I might indulge a little more latitude of expression than I had done with Oswald and Strachey, and I answered, if the nation thought itself bound in honor to compensate these people, it might easily do it, for it cost the nation more money to carry on this war one month than it would cost it to compensate them all. But I could not comprehend this doctrine of national honor. Those people, by their misrepresentations, had deceived the nation, who had followed the impulsion of their devouring ambition, until it had brought an indelible stain on the British name, and almost irretrievable ruin on the nation, and now that very nation was thought to be bound in honor to compensate its dishonorers and destroyers. Rayneval said it was very true.

The Count invited me to dine; I accepted. When I came I found M. de la Fayette in conference with him. When they came out the Marquis took me aside and told me he had been talking with the Count upon the affair of money. He had represented to him Mr. Morris' arguments, and the things I had said to him, as from himself, &c. That he feared the arts of the English, that our army would disband, and our governments relax, &c. That the Count feared many difficulties; that

France had expended two hundred and fifty millions in this war, &c. That he talked of allowing six millions, and my going to Holland with the scheme I had projected, and having the king's warranty, &c., to get the rest; that he had already spoken to some of M. de Fleury's friends, and intended to speak to him, &c.

We went up to dinner. I went up with the Count alone. He showed me into the room where were the ladies and the company. I singled out the Countess and went up to her to make her my compliments. The Countess and all the ladies rose up. I made my respects to them all, and turned round and bowed to the rest of the company. The Count, who came in after me, made his bows to the ladies, and to the Countess last. When he came to her he turned round and called out, *Mons. Adams, venez ici, voilà la Comtesse de Vergennes*. A nobleman in company said, Mr. Adams has already made his court to Madame la Comtesse. I went up again, however, and spoke again to the Countess, and she to me. When dinner was served the Count led Madame de Montmorin, and left me to conduct the Countess, who gave me her hand with extraordinary condescension, and I conducted her to table. She made me sit next to her, on her right hand, and was remarkably attentive to me the whole time. The Count, who sat opposite, was constantly calling out to me to know what I would eat, and to offer me *petits gateaux*, claret, and Madeira, &c. In short, I was never treated with half the respect at Versailles in my life. In the antechamber, before dinner, some French gentlemen came to me and said they had seen me two years ago, said that I had shown in Holland that the Americans understood negotiation as well as war.

[The compliments that have been paid me, since my arrival in France, upon my success in Holland, would be considered as a curiosity if committed to writing. "Je vous félicite sur votre succès," is common to all. One adds, "Monsieur, ma foi vous avez réussi bien merveilleusement. Vous avez fait reconnoître votre indépendance. Vous avez fait un Traité, et vous avez procuré de l'argent; voilà un succès parfait." Another says, "Vous avez fait des merveilles en Hollande; vous avez culbuté le Stadthouder et la partie Angloise; vous avez donné bien du mouvement; vous avez remué tout le monde." Another says, "Monsieur, vous êtes le Washington de la négociation." This is the finishing stroke, 'tis impossible to exceed this.] \*

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\* Passage in brackets omitted in Sparks' edition, but included (following original in department) in 3 John Adams' Works, 306.

Adams to Livingston.\*

PARIS, *November 11, 1782.*

SIR: On my first arrival at Paris, I found my colleagues engaged in conferences with Mr. Oswald. They had been before chiefly conducted by Mr. Jay, Mr. Franklin having been mostly confined for three months, by a long and painful illness. At this time, however, he was so much better, although still weak and lame, as to join us in most of our subsequent conferences, and we were so constantly engaged forenoon, afternoon, and evening, that I had not been out to Versailles, nor anywhere else.

On Saturday last, the Marquis de la Fayette called upon me, and told me he had been to Versailles, and the Count de Vergennes had said to him, that he had been informed by the returns of the police that I was in Paris, but not officially, and he should take it well if I would come to see him.

I went to dine with Mr. Franklin the same day, who had just returned from delivering his memorial, and repeated to me the same message. I said to both, I would go the next morning, and accordingly, on Sunday, the 9th, I went to make my court to his excellency. He received me politely, and asked me questions about our progress. I answered him, that the English minister appeared to me to divide with us upon ostensible points; that I still doubted of his intentions to make universal peace; that the cry of the nation was for something to be done or said with the American ministers; and to satisfy this, the King of Great Britain had been advised to be the third power in Europe to acknowledge our independence. As this was a royal act, and under the great seal of his kingdom, it would never be denied or revoked; but still it did not render the nation unanimous, and to avoid, finally, disgusting any great party, the minister would still pursue his usual studied obscurity of policy. Points must be conceded to the Americans, before a complete agreement could be made with them, even on terms to be inserted in the universal peace, which would open the full cry of a powerful party upon him, among which were the refugees. It could not be supposed that the refugees and Penobscot were such points with the nation or minister, that they would continue the war for them only, if they were ready to strike with France, Spain, and Holland.

The Count then asked me some questions respecting Sagadahock, which I answered, by showing him the records, which I had in my pocket, particularly that of Governor Pownal's solemn act of possession in 1759; the grants and settlements of Mount Desert, Machias, and all the other townships east of Penobscot River; the original grant of James the First to Sir William Alexander, of Nova Scotia, in which it

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\* MSS. Dep. of State; 3 Sparks' Dip. Rev. Corr., 684, with verbal changes; and 8 J. Adams' Works, 5.

is bounded on St. Croix River (this grant I had in Latin, French, and English); the dissertations of Governor Shirley and Governor Hutchinson, and the authority of Governor Bernard, all showing the right of Massachusetts to this tract to be incontestable. I added, that I did not think any British minister would ever put his hand to a written claim of that tract of land, their own national acts were so numerous and so clear against them. The Count said, Mr. Fitzherbert had told him that it was for the masts that a point was made of that tract. But the Count said, Canada was an immense resource for masts. I said, there were few masts there; that this could not be the motive; that the refugees were still at the bottom of this; several of them had pretensions to lands in Sagadahock, and the rest hoped for grants there.

The Count said, it was not at all surprising that the British ministry should insist upon compensation to the Tories, for that all the precedents were in their favor; in the case of the United Provinces with Spain, all were restored to their possessions, and that there never had been an example of such an affair terminated by treaty, but all were restored. He said, it was a point well settled by precedents. I begged his excellency's pardon for this, and thought there was no precedent in point. A restitution of an estate not alienated, although confiscated to a crown or State, could not be a precedent in point, because, in our case, these estates had not only been confiscated, but alienated by the State, so that it was no longer in the power of the State to restore them. And when you come to the question of compensation, there is every argument of national honor, dignity of the State, public and private justice and humanity, for us to insist upon a compensation for all the plate, negroes, rice, and tobacco stolen, and houses and substance consumed, as there is for them to demand compensation to the Tories; and this was so much the stronger in our favor, as our sufferers were innocent people, and theirs guilty ones.

M. Rayneval, who was present, said something about the king and nation being bound to support their adherents. I answered, that I could not comprehend this doctrine. Here was a set of people, whose bad faith and misrepresentations had deceived the king and deluded the nation, to follow their all-devouring ambition, until they had totally failed of their object; had brought an indelible reproach on the British name, and almost irretrievable ruin on the nation, and yet that nation is bound to support their deceivers and ruiners. If the national honor was bound at all, it was bound still to follow their ambition, to conquer America, and plant the refugees there in pomp and power, and in such case, we all know whose estate would be confiscated, and what compensation would be obtained. All this, M. Rayneval said, was very true.

The Count asked me to dine, which I accepted, and was treated with more attention and complaisance than ever, both by him and the Coun-



tess. As it is our duty to penetrate, if we can, the motives and views of our allies, as well as our enemies, it is worth while for Congress to consider what may be the true motives of these intimations in favor of the Tories. History shows that nations have generally had as much difficulty to arrange their affairs with their allies as with their enemies. France has had as much this war with Spain as with England. Holland and England, whenever they have been allies, have always found many difficulties, and from the nature of things it must ever be an intricate task to reconcile the notions, prejudices, principles, &c., of two nations, in one concert of councils and operations.

We may well think that the French would be very glad to have the Americans join with them in a future war. Suppose, for example, they should think the Tories men of monarchical principles, or men of more ambition than principle, or men corrupted and of no principle, and should, therefore, think them more easily seduced to their purposes than virtuous Republicans, is it not easy to see the policy of a French minister in wishing them amnesty and compensation? Suppose that a French minister foresees that the presence of the Tories in America will keep up perpetually two parties, a French and an English party, and that this will compel the patriotic and independent men to join the French side, is it not natural for him to wish them restored? Is it not easy, too, to see that a French minister can not wish to have the English and Americans perfectly agreed upon all points, before they, themselves, the Spanish and the Dutch, are agreed too? Can they be sorry, then, to see us split upon such a point as the Tories? What can be their motives to become the advocates of the Tories? It seems the French minister at Philadelphia has made some representations to Congress in favor of a compensation to the Royalists, and that the Count de Vergennes' conversation with me was much in favor of it. The Count probably knows that we are instructed against it, and that Congress are instructed against it, or rather, have not a constitutional authority to make it; that we can only write about it to Congress, and they to the States, who may, and probably will, deliberate upon it a year or eighteen months before they all decide, and then every one of them will determine against it. In this way there is an insuperable obstacle to any agreement between the English and Americans, even upon terms to be inserted in the general peace, before all are ready, and indeed, after. It has been upon former occasions the constant practice of the French to have some of their subjects in London, and the English some of theirs in Paris, during conferences for peace, in order to propagate such sentiments as they wished to prevail. I doubt not there are such there now. M. Rayneval has certainly been there. It is reported, I know not how truly, that M. Gerard has been there, and probably others are there, who can easily prompt the Tories to clamor, and to cry that the king's dignity and nation's honor are compromised, to support their demands.

America has been long enough involved in the wars of Europe. She



has been a football between contending nations from the beginning, and it is easy to foresee that France and England both will endeavor to involve us in their future wars. It is our interest and duty to avoid them as much as possible, and to be completely independent, and to have nothing to do with either of them, but in commerce. My poor thoughts and feeble efforts have been from the beginning constantly employed to arrange all our European connexions to this end, and will continue to be so employed whether they succeed or not. My hopes of success are stronger now than they ever have been, because I find Mr. Jay precisely in the same sentiments, after all the observations and reflections he has made in Europe, and Mr. Franklin at least appears to coincide with us. We are all three perfectly united in the affair of the Tories and of the Sagadahock, the only points in which the British minister pretends to differ from us.

The enclosed papers will show Congress the substance of the negotiation: The treaty, as first projected between Mr. Oswald on one side, and Mr. Franklin and Mr. Jay on the other, before my arrival; the treaty as projected after my arrival, between Mr. Oswald and the three American ministers, my Lord Shelburne having disagreed to the first; Mr. Oswald's letter and our answer; Mr. Strachey's letter and our answer.\* Mr. Strachey has gone to London with the whole and we are waiting his return, or the arrival of some other, with further instructions.

If Congress should wish to know my conjecture, it is that the ministry will still insist upon compensation to the Tories, and thus involve the nation every month of the war in an expense sufficient to make a full compensation to all the Tories in question. They would not do this, however, if they were ready with France and Spain.

I have the honor to be, &c.,

JOHN ADAMS.

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Adams' Journal of Peace Negotiation.—Continued.†

NOVEMBER 11, 1782.

Mr. Whitefoord, the secretary of Mr. Oswald, came a second time, not having found me at home yesterday, when he left a card, with a copy of Mr. Oswald's commission, attested by himself (Mr. Oswald). He delivered the copy, and said Mr. Oswald was ready to compare it with the original with me. I said Mr. Oswald's attestation was sufficient as he had already shown me the original. He sat down, and we fell into conversation about the weather, and the vapors and exhalations from Tartary which had been brought here last spring by the winds, and given us all the influenza. Thence to French fashions, and the punctuality with which they insist upon people's wearing thin clothes in spring and

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\* These papers will be found *supra*, October 8, November 4, 5 and 6, 1782.

† 3 Sparks' Dip. Rev. Corr., 699.

fall, though the weather is ever so cold, &c. I said it was often carried to ridiculous lengths, but that it was at bottom an admirable policy, as it rendered all Europe tributary to the city of Paris for its manufactures.

We fell soon into politics. I told him that there was something in the minds of the English and French which impelled them irresistibly to war every ten or fifteen years. He said the ensuing peace would, he believed, be a long one. I said it would, provided it was well made, and nothing left in it to give future discontents. But if anything was done which the Americans should think hard or unjust, both the English and French would be continually blowing it up, and inflaming the American minds with it, in order to make them join one side or the other in a future war. [He might well think that the French would be very glad to have the Americans join them in a future war.\*] Suppose, for example, they should think the Tories men of monarchical principles, or men of more ambition than principle, or men corrupted and of no principle, and should therefore think them more easily seduced to their purposes than virtuous republicans; is it not easy to see the policy of a French minister in wishing them amnesty and compensation? Suppose a French minister foresees that the presence of the Tories in America will keep up perpetually two parties, a French party and an English party, and that this will compel the patriotic and independent party to join the French party, is it not natural for him to wish them restored? Is it not easy to see that a French minister can not wish to have the English and Americans perfectly agreed upon all points before they themselves, the Spaniards, and the Dutch, are agreed too? Can they be sorry, then, to see us split upon such a point as the Tories? What can be their motives to become the advocates of the Tories?

The French minister at Philadelphia has made some representations to Congress in favor of a compensation to the royalists, and the Count de Vergennes no longer than yesterday said much to me in their favor. The Count probably knows that we are instructed against it, that Congress are instructed against it, or rather have not constitutional authority to do it; that we can only write about it to Congress, and they to the States, who may, and probably will, deliberate upon it eighteen months before they all decide, and then every one of them will determine against it. In this way there is an insuperable obstacle to any agreement between the English and Americans, even upon terms to be inserted in the general peace, before all are ready. It was the constant practice of the French to have some of their subjects in London during the conferences for peace in order to propagate such sentiments there as they wished to prevail. I doubted not such were there now; M. Rayneval had been there. M. Gerard, I had heard, is there now, and probably others. They can easily persuade the Tories to set up

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\*Omitted in Sparks' edition, but given in 3 J. Adams' Works, 307.

their demands, and tell them and the ministers that the king's dignity and nation's honor are compromised in it.

For my own part, I thought America had been long enough involved in the wars of Europe. She had been a football between contending nations from the beginning, and it was easy to foresee that France and England both would endeavor to involve us in their future wars. I thought it our interest and duty to avoid them as much as possible and to be completely independent, and have nothing to do but in commerce with either of them; that my thoughts had been from the beginning to arrange all our European connexions to this end, and that they would be continued to be so employed. And I thought it so important to us that if my poor labors, my little estate, or (smiling) sily blood could effect it, it should be done. But I had many fears.

I said the king of France might think it consistent with his station to favor people who had contended for a crown, though it was the crown of his enemy. Whitefoord said, they seem to be through the whole of their [course] fighting for reputation. I said they had acquired it, and more, they had raised themselves high from a low estate by it, and they were our good friends and allies, and had conducted generously and nobly, and we should be just and grateful, but they might have political wishes which we were not bound by treaty nor in justice or gratitude, to favor, and these we ought to be cautious of. He agreed that they had raised themselves very suddenly and surprisingly by it.

TUESDAY, November 12.

The compliment of "*Monsieur, vous êtes le Washington de la négociation,*" was repeated to me by more than one person. I answered, *Monsieur, vous me faites le plus grand honneur, et le compliment le plus sublime possible. Eh! Monsieur, en vérité, vous l'avez bien mérité.* [A few of these compliments would kill Franklin if they should come to his ears.]\*

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Luzerne to Washington.†

[Translation.]

PHILADELPHIA, November 12, 1782.

SIR: I hope you will not find it amiss that I have sent directly to General Carleton the two letters of which the enclosed are copies. M. de la Touche wrote me that he was yet detained at New York, and that he would probably have time to receive my answer if it came directly, which induced me to write him by way of Elizabethtown, rather

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\* In 3 J. Adams' Works, 309, but not in Department MSS. In the Adams' version other unimportant details are here given.

† 6 Sparks' Dip. Rev. Corr., 99.

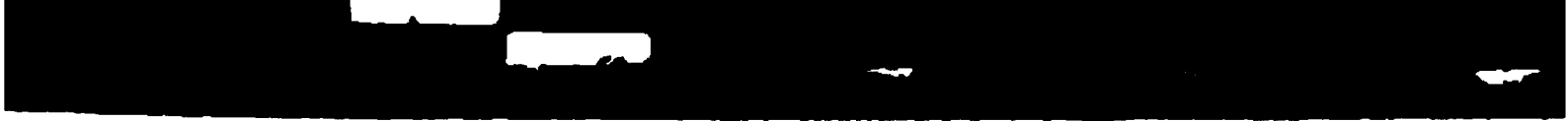
than by Dobbs' Perry. If there is any impropriety in the step I have taken, I hope your excellency will excuse it in consideration of the object in view. I dare even to ask your excellency to enforce my request.

I also take the liberty to request your excellency to permit Captain Asgill to return to Europe. The situation of his mother has been so unhappy for some time past that he has a sort of claim on your excellency's goodness.

I have the honor to be, &c.,

LUZERNE.













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